SPECIAL TOWN MEETING
APRIL 1, 2000

At the Special Town Meeting duly called and held in the EMC Building No. 4, Coslin Drive, Southborough, MA on Saturday, April 1, 2000 at 9:00AM the following ARTICLES were voted on in a legal manner. There was a quorum present 150 Voters = quorum, 1597 Voters were present.

Checkers:

Gail B. Rowe
Lidia A. Kiley
Carolyn A. Ostrech
Vernelle L. Cibelli
Lena A. Carloni
Eleanor E. MacLauchlan
Janet M.E. Mattioli
Maxine Juliano
Jennifer Juliano
Bonnie J. Phaneuf
James Denman
Lois Denman
Josephine Laptewicz
Sheila Wilson
Judith Cononico

The Meeting was called to order at 9:45 AM by the Town Moderator, John H. Wilson.

The following Tellers were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:

Richard F. Connors
Ann M. Huff
Mark Bertonazzi
Charles P. Aspesi
Eric Paul Bertonazzi
Kenneth J. Kimball
Ralph J. Tricomi, Jr.
Barbara A. Murphy
Anthony C. Martins
Elizabeth S. Martins
Wayne Long
Richard D. Loring
Frederick C. Mueller
David L. Flynn
Donald Neal
John McCabe
Francis M. Tracy
Susan E. Walsh
Donna Lee Sergi
Angelo Q. Crispi
Walter Mattson
Alfred C. Hamilton

The Colors were presented by Girl Scout Troops 2788, 2789 and 2790

Moderator Wilson had requests from the following non-voters to attend the Special Town Meeting:

Robert Melican, Superintendent Southborough School Department
Antonio Fernandes, Assistant Superintendents of Schools
Edward J. Gallagher, III, Algonquin Regional High School

SPECIAL TOWN MEETING
APRIL 1, 2000

Linda Murdock, Trottier Middle School Principal
Stephen Billhardt, Neary School Prinicpal
Mary Ryan, Finn School Prinicpal
Shirley Lundberg, Northborough-Southborough Regional School Committee Member
George Boyd, Northborough-Southborough Regional School Committee Member
Faith Marcello, Northborough-Southborough Regional School Committee Member
Anthony Poteete, Northborough-Southborough Regional School Committee Member
Mark Donohue, Algonquin BuildingPlanning Committee Member
Natalie Shriber, Algonquin Regional High School Student
Emily Agababian, Algonquin Regional High School Student
Amelia Davis, Algonquin Regional High School Student
Steven Form, Algonquin Regional High School Student
Meredith Hasson, Algonquin Regional High School Student
Jen Wilhelmy, Algonquin Regional High School Student
Julian Walter, Algonquin Regional High School Student
Julia Walter, Algonquin Regional High School Student
Julie Plumb, Algonquin Regional High School Student
Maura Greehan Algonquin Regional High School Student
Abe Medoff, Algonquin Regional High School Student
Toby Mueller, Algonquin Regional High School Student
Arielle Kingsbury, Algonquin Regional High School Student
Legia Pisinski, Algonquin Regional High School Student
Paul Pisinski, Southborough Board of Health Agent
Eleanor Burke, Former Town Clerk
Michael Vulcano, Northborough Recreation Commission
Robert Vogel, Keyes Associates
Elaine Kelly, Northborough Appropriations Committee
Jack Kelly, Northborough Appropriations Committee
Sandy Webb, Algonquin
Shirley Lundberg, Algonquin Building Planning Committee, Chair
Alexander Webb, 115 Main Street, Northborough Building Planning Committee
Elaine Kelly, Northborough Appropriations
John Kelly, Northborough Appropriations
Michelle Hoeffler, WiWarner Architects
Scott W. Hellman, Boston Globe
Robert B. Vogher, Keyes Associates
Genevieve Robinson, Channel 13 Representative
Helal Homaidan, Channel 13 Representative
Anna Poteete, Channel 13 Representative
Rob Titus, Channel 13 Representative
Becky Long, Channel 13, Representative
Sandra Bowles, Worcester Telegram & Gazette
Mike Custaguero, Worcester Telegram & Gazette
Joan Frank, 420 Whitney Street, Northborough
David Crowley, Northborough K-8 Feasibility Committee
Chris Daniels, 274 Hudson Street, Northborough, MA
Kelvin Ma, Assabet Valley Regional High School Newspaper

There being no objections from the floor, it was voted to allow the above non-voters to remain.

The boundaries of the room were outlined by the Moderator to include all of the chairs in the floor area.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

It was voted Unanimously to waive the reading of the Special Town Meeting Warrant.

SPECIAL TOWN MEETING
APRIL 1, 2000

ARTICLE 1: That the Town hear reports of any Town Committees.

MOTION MADE: To hear reports of any Town Committees, or do or act anything in relation thereto.

MOTION: (as stated above) VOTED UNANIMOUSLY.

William J. Christensen, Chairman, Board of Selectmen, read his report.
VOTED UNANIMOUSLY: to accept the report of William J. Christensen, Chairman, Board of Selectmen, as read.

Martin F. Healey, Chairman, Advisory Committee, read his report. **VOTED UNANIMOUSLY:** to accept the report of Martin F. Healey, Chairman, Advisory Committee.

David H. Davidson, Advisory Committee, read his report. **VOTED UNANIMOUSLY:** to accept the report of David H. Davidson, Advisory Committee.

Edward Pisinski, K-8 School Building Committee, read his report. **VOTED UNANIMOUSLY:** to accept the report of Edward Pisinski, K-8 School Building Committee.

Timothy Reardon McHugh, Personnel Board, read his report. **VOTED UNANIMOUSLY:** to accept the report of Timothy Reardon McHugh, Personnel Board

MOTION MADE: To suspend rules to set the method of voting by a secret ballot for the final motions on Articles 2-10. 2/3 vote required.

AMENDMENT TO MOTION: To vote Articles 7- 10 by Secret Ballot only.

AMENDMENT TO MOTION: PASSED BY A MAJORITY VOTE.

MOTION MADE: To suspend rules to set the method of voting by a secret ballot for the final motions on Articles 7-10. 2/3 vote required.

MOTION: DEFEATED BY THE FOLLOWING HAND COUNT YES: 1 NO: 28 .

ARTICLE 2: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, additional funds to complete the Trottier Middle School construction project and the Finn School renovation and addition project, and to hire a construction management expert to determine the responsibility for the overruns; provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election, or do or act anything in relation thereto.

MOTION MADE: That the Town borrow and appropriate, an additional $1,725,000 to complete the Trottier Middle School construction project and the Finn School renovation and addition project, and to hire a construction management expert to determine the responsibility for the overruns; provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election.

MOTION: (as stated above) VOTED UNANIMOUSLY.

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $1,400,000 needed for the immediate construction of additional learning space at the Mary E. Finn School as part of the current ongoing construction project contingent upon being passed by a majority vote at a Town Election, or do or act anything in relation thereto.

MOTION MADE: That the Town borrow and appropriate, the sum of $1,460,000 needed for the immediate construction of additional learning space at the Mary E. Finn School as part of the current ongoing construction project; provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a Town Election.

MOTION: PASSED BY THE FOLLOWING HAND COUNT YES: 29 NO: 1

ARTICLE 4: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, a sum of money for the additional costs associated with the continued planning and diagnostic testing needed by the Temporary School Building Planning Committee in order to present proposals to the town, or do or act anything in relation thereto.

MOTION MADE: That the Town transfer from free cash and appropriate, $56,000 for the additional costs associated with the continued planning and diagnostic testing needed by the Temporary School Building Planning Committee in order to present diverse proposals to the town for its approval at Town Meeting.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds and appropriate, or borrow and appropriate, a sum of money not to exceed $250,000 for the purpose of constructing and equipping temporary modular classrooms at the Margaret Neary School, contingent upon being passed by a majority vote at a Special Town Election, or do or act anything in relation thereto.

MOTION MADE: Postpone Indefinitely.

MOTION TO POSTPONE INDEFINITEY: VOTED UNANIMOUSLY.

ARTICLE 6: To see if the Town will authorize and instruct the Moderator to appoint and empower a Temporary School Building Planning Committee of seven members, which will include at least one member of the Southborough School Committee, to present proposals to the Town no later than the April 2001 Annual Town Meeting. Such proposals will inform the Town of how to accommodate the enrollment needs of the Southborough Schools, K-8, including costs and benefits associated with renovation, addition and new construction, including site selection and testing, if necessary, or do or act anything in relation thereto.

MOTION MADE: That the Town authorize and instruct the Moderator to appoint and empower a Temporary School Building Planning Committee consisting of at least seven and no more than eight members, which will include at least one member of the Southborough School Committee, to present proposals to the Town no later than the April 2001 Annual Town Meeting. Such proposals will inform the Town of how to accommodate the enrollment needs of the Southborough Schools, K-8, including costs and benefits associated with renovation, addition and new construction, including site selection and testing, if necessary.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

MOTION MADE: I move that Article 9 be considered before Article 7.

MOTION: DEFEATED BY A MAJORITY VOTE.

ARTICLE 7: To see if the Town will vote to approve the borrowing of the sum of $700,000 by the Northborough-Southborough Regional School District as approved by the District School Committee in accordance with the provisions of Mass. General Laws, Chapter 71, Section 16(d) for the purpose of acquiring a parcel of land, containing 148 acres by purchase or eminent domain for Algonquin Regional High School, contingent upon being passed by a majority vote at a Town Election , or to take any other action relative thereto.

MOTION MADE: To vote on this Article within 10 minutes at 2:50PM. Requires a 2/3 Vote.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

SPECIAL TOWN MEETING
APRIL 1, 2000

MOTION MADE: That the Town approve the borrowing of the sum of $700,000 by the Northborough-Southborough Regional School District as approved by the District School Committee in accordance with the provisions of Mass. General Laws, Chapter 71, Section 16(d) for the purpose of acquiring a parcel of land, containing 148 acres by purchase or eminent domain for Algonquin Regional High School, contingent upon being passed by a majority vote at a Town Election.

MOTION PASSED BY THE FOLLOWING HAND COUNT VOTE: YES: 772 NO: 520

MOTION MADE: To reconsider Article 7.

MOTION: DEFEATED UNANIMOUSLY.

ARTICLE 8: To see if the Town will vote to authorize borrowing by the Northborough-Southborough Regional School Committee, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), as amended, or for the Town of Southborough to borrow and appropriate, their share of the sum not to exceed $2,580,000 for the purpose of architectural design services of a new high school, for use by the Regional School Committee in conjunction with a Building Committee to be appointed under the provisions of the Regional Agreement, to design the necessary project and to prepare the necessary documents to enable said project to be put to bid contingent upon being passed by a majority vote at a Town Election,, or do or act anything in relation thereto.

MOTION MADE: That the Town authorize borrowing by the Northborough-Southborough Regional School Committee, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), as amended, or for the Town of Southborough to borrow and appropriate, their share of the sum not to exceed $2,580,000 for the purpose of architectural design services of a new high school, for use by the Regional School Committee in conjunction with a Building Committee to be appointed under the provisions of the Regional Agreement, to design the necessary project and to prepare the necessary documents to enable said project to be put to bid contingent upon being passed by a majority vote at a Town Election.

MOTION: PASSED BY THE FOLLOWING HAND COUNT VOTE: YES: 607 NO: 526

MOTION MADE: To reconsider Article 8.

MOTION: DEFEATED UNANIMOUSLY.

ARTICLE 9: To see if the Town will vote to amend the Northborough-Southborough Regional School Agreement as follows:

Add to definition of Capital costs in Section IV(b) "or replacement thereof," to read accordingly:

> "(b) Capital costs shall include all expenditures relating to capital outlay such as payment of principal and interest on bonds or other obligations issued by the District, and any other expenses associated with the acquisition of real estate, the construction and improvement of buildings, grading, purchase of equipment, and other activities incident to placing in operation the original school plant and any subsequent additions and improvements thereto, or replacement thereof."

Delete Section IV, Clause (d), in its entirety together with all previous amendments and substitute the following:

> "Payment for capital costs incurred on or after January 1, 2000 shall be apportioned each year among member towns on the basis of the average of their respective enrollments in the Regional District School on October 1 of the preceding year for year one; of the preceding two years for year two; and the preceding three (3) years thereafter."

, or do or act anything in relation thereto.

MOTION MADE: That the Town amend the Northborough-Southborough Regional School Agreement as follows:

Add to definition of Capital costs in Section IV(b) "or replacement thereof," to read accordingly:

> "(b) Capital costs shall include all expenditures relating to capital outlay such as payment of principal and interest on bonds or other obligations issued by the District, and any other expenses associated with the acquisition of real estate, the construction and improvement of buildings, grading, purchase of equipment, and other activities incident to placing in operation the original school plant and any subsequent additions and improvements thereto, or replacement thereof."

Delete Section IV, Clause (d), in its entirety together with all previous amendments and substitute the following:

> "Payment for capital costs incurred on or after January 1, 2000 shall be apportioned each year among member towns on the basis of the average of their respective enrollments in the Regional District School on October 1 of the preceding year for year one; of the preceding two years for year two; and the preceding three (3) years thereafter."

DEFEATED BY THE FOLLOWING HAND COUNT VOTE: YES: 398 NO: 621

MOTION MADE: To reconsider Article 9.

MOTION: DEFEATED UNANIMOUSLY.

ARTICLE 10: To see if the Town will vote to amend the Northborough-Southborough Regional School Agreement as follows:

AMENDMENT 1: TWO SCHOOLS

By deleting Section II thereof, and inserting in its place the following language:

> "Section II. Number and Location of the Regional District Schools
>
> There shall be two Regional District schools one of which shall be located in Northborough and the other of which shall be located in Southborough."

AMENDMENT 2: MIXING OF STUDENTS

By Changing the title of Section XII so that it reads,

> "Section XII. Tuition Pupils and Assignment of Pupils within the Region"

and appending a paragraph (b) as follows:

> "(b) Students residing inside the Regional School District shall have a reasonable opportunity to request assignment to either school within the District. They shall be assigned to a school based on policy approved by the Committee. Such policy may give preference to limiting enrollment in any one school based on that building's capacity, to students attending the school in the Town in which the student resides, or to other educational considerations deemed appropriate by the Regional School Committee."

AMENDMENT 3: EACH TOWN PAYS FOR ITS OWN SCHOOL

By deleting Section IV paragraph (d) as amended, and inserting the following:

> "(d) Payment of capital costs shall be apportioned among the member Towns such that each Town is responsible for an amount equal to the capital

costs of the school located in that Town. Approval of the capital budget for each school and any indebtedness of the Region associated with that school shall vest solely with the Town in which the capital improvement is located.

(e) Effective the July 1 immediately following the opening of the high school in Southborough, the Town of Northborough shall compensate The Town of Southborough for Southborough's share of the District's existing land and building located in Northborough by making a payment to the District. This payment shall be used by the District solely to defray Southborough's capital cost assessment under paragraph (d) above. For these purposes Southborough's share of the land value shall be calculated by multiplying 0.4175 times the current fair market value of the land. Southborough's share of the building value shall be calculated by multiplying, for each construction project which created or added area to the existing building, the proportion of the costs paid by Southborough for that area times that area in square feet, then summing these products and dividing the sum by the total current area in square feet. The value of the building shall be the current fair market value. The current fair market value of the land and of the building shall be determined by a panel of three (3) qualified independent appraisers, each of whom shall be paid by the Region. One appraiser shall be selected by the Town of Northborough, the other by Town of Southborough, and the third by the first two appraisers so selected. The decision of each appraiser shall be given within ten (10) business days after the selection of the panel. The average of the three appraisals arrived at by the three appraisers shall be conclusively binding on the parties as the Fair Market Value of the land and improvements thereon owned by the Region.

(f) Effective the July 1 immediately following the opening of the high school in Southborough, and for each fiscal year thereafter, each Town's capital cost apportionment under (d) above shall be adjusted by applying a district enrollment adjustment as follows. For each Town the District Enrollment Percentage shall be the percent of all students enrolled on the preceding October 1 who are not residents of the Town in which the school is located. Each Town's District Enrollment Credit shall be the District Enrollment Percentage times the unadjusted capital cost apportionment for that Town. Each Town's adjusted capital cost apportionment shall be calculated by subtracting from its unadjusted capital cost apportionment its District Enrollment Credit and adding the District Enrollment Credit of the other Town.

AMENDMENT 4: EACH TOWN OWNS ITS SCHOOL IF IT LEAVES THE REGION

Append to Section VII new paragraphs (d) and (e) as follows:

"(d) Upon withdrawal from the Region, all title to and ownership rights in the capital assets located within the withdrawing Town shall pass to the withdrawing Town. The terms of this Paragraph (d) shall become effective the July 1 immediately following the opening of the high school in Southborough.

(e) Any Amendment for Withdrawal of a member Town from the District shall provide for the completion of education of students at the school at which they are enrolled."

AMENDMENT 5: BUILDING COMMITTEES COME FROM EACH TOWN

In Section X, delete the entire last sentence of paragraph (a) which reads:

"Without limiting the generality of the foregoing, the Committee may, to assist it in the construction of the Regional school, appoint a building committee to advise it with respect to plans, specifications, appointment of architects, engineers, the awarding of contracts, the supervision of construction, and any other assistance which the Committee may desire."

Append a new Section XIII as follows:

"Section XIII Town Construction of Schools

The Committee shall appoint a Building Committee for each member Town chosen from candidates nominated by the Board of Selectmen of the respective Towns. Each Building Committee shall assist in the construction of the school in its Town with respect to plans, specifications, appointment of architects, engineers, and the awarding of contracts, and the supervision of construction."

AMENDMENT 6: CLARIFICATION OF SINGULAR AND PLURAL

Append a new Section XIV as follows:

Section XIV. General

(a) As this Agreement has been amended to provide for two regional schools, whenever the context of this Agreement requires, the singular includes the plural and the plural includes the singular.

or do or act anything in relation thereto.

MOTION MADE: To Postpone Indefinitely.

MOTION TO POSTPONE INDEFITELY: PASSED BY A MAJORITY VOTE.

At 5:43 PM on Saturday, April 1, 2000 it was MOVED and UNANIMOUSLY VOTED to DISSOLVE the Special Town Meeting of April 1, 2000.

A true copy:
Attest: Paul J. Berry
PAUL J. BERRY, TOWN CLERK

ANNUAL TOWN MEETING
MONDAY, APRIL 10, 2000

At the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 10, 2000 at 7:00 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters= quorum, 166 Voters were present).

Checkers:	Janet ME Mattioli	Eleanor MacLauchlan
	Lois Denman	Jennifer Juliano

The Meeting was called to order at 7:39PM by the Town Moderator, John H. Wilson.

The following Tellers were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:

Charles Aspesi
Thomas Burns
Marcia Hallwood
Arthur Lamy
Karen Gadbois
Timothy McHugh

A moment of silence was held in memory of those persons who have served the Town in the past: Caesar J. Ghiringhelli, Dorothy M. Hoffman, Richard C. Grimm, Roland A. Messier, Mary Josephine Quinn, Mary S. Kelly, Austin Kelly

The Colors were presented by Girl Scout Troops 2788, 2789 and 2790

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting:

Gene Carlo, Superintendent Director at Assabet Valley High School
John Kustigian, Business Manager at Assabet Valley High School
Shirley Lundberg, Algonquin Building Planning Committee, Chair
Robert Melican, Superintendent Southborough School Department
Paul Pisinski, Southborough Board of Health Agent
Laurie Sugarman-Whittier, Southborough Youth Commission Co-Director
Charles P. Schmohl, Jr., Princeton Fire Department
Jennifer Stillings, Princeton Fire Department
Kathryn Garcia, Recreation Department Director
Michael Misslin, Metropolitan District Commission
Tom Bacon, Land Owner, 165A Southville Road, Southborough/Westborough
John Mauro, Fire Department

There being no objections from the floor, it was voted to allow the above non-voters to remain.

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view the Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Annual Town Meeting by the Constable.

It was voted Unanimously to waive the reading of the Annual Town Meeting Warrant.

ARTICLE 1: To hear reports of the various Town Officers and Committees and to take such action thereon as the Town may vote.

MOTION MADE: That the Town hear reports of the various Town Officers and Committees.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

William J. Christensen, Chair, Board of Selectmen
VOTED UNANIMOUSLY: to accept the report of William J. Christensen, Chair, Board of Selectmen, as read.

Martin F. Healey, Chair, Advisory Committee read his report.
VOTED UNANIMOUSLY: to accept the report of Martin F. Healy, Chair of Advisory Committee, as read.

Jennifer Juliano, Public Safety Committee read her report.
VOTED UNANIMOUSLY: to accept the report of the Public Safety Committee, as read.

At (8:03 PM) it was Voted Unanimously to temporarily ADJOURN the Annual Town Meeting until the completion of the Special Town Meeting.

SPECIAL TOWN MEETING
MONDAY, APRIL 10, 2000

At the Special Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 10, 2000 at 7:30 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters= quorum, 166 Voters were present).

Checkers:	Janet ME Mattioli	Eleanor MacLauchlan
	Lois Denman	Jennifer Juliano

The Meeting was called to order at 8:03PM by the Town Moderator, John H. Wilson.

The following Tellers were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:

Charles Aspesi
Thomas Burns
Marcia Hallwood
Arthur Lamy
Karen Gadbois
Timothy McHugh

Moderator Wilson had requests from the following non-voters to attend the Special Town Meeting:

Gene Carlo, Superintendent Director at Assabet Valley High School
John Kustigian, Business Manager at Assabet Valley High School
Shirley Lundberg, Algonquin Building Planning Committee, Chair
Robert Melican, Superintendent Southborough School Department
Paul Pisinski, Southborough Board of Health Agent
Laurie Sugarman-Whittier, Southborough Youth Commission Co-Director
Charles P. Schmohl, Jr., Princeton Fire Department
Jennifer Stillings, Princeton Fire Department
Kathryn Garcia, Recreation Department Director
Michael Misslin, Metropolitan District Commission
Tom Bacon, Land Owner, 165A Southville Road, Southborough/Westborough
John Mauro, Fire Department

There being no objections from the floor, it was voted to allow the above non-voters to remain.

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

It was voted Unanimously to waive the reading of the Special Town Meeting Warrant.

ARTICLE 1: To see if the Town will vote to transfer from any available funds and appropriate, or borrow and appropriate, the sum of $120,000 for unanticipated special education expenses to cover the Southborough FY 2000 K-8 budget deficit, or do or act anything in relation thereto.

MOTION MADE: That the Town transfer from free cash and appropriate the sum of $75,000 for unanticipated special education expenses to cover the Southborough FY 2000 K-8 budget deficit.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 2: To see if the Town will vote to transfer from any available funds and appropriate the sum of $22,000 for the purpose of purchasing turnout pants, coats, boots and helmets for the Fire Department, or do or act anything in relation thereto.

MOTION MADE: That the Town transfer from any available funds and appropriate the sum of $22,000 for the purpose of purchasing turnout pants, coats, boots and helmets for the Fire Department.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 3: To see if the Town will transfer from Water Surplus to fund water purchase from the Massachusetts Water Resources Authority for Fiscal Year 2000

MOTION MADE: That the Town transfer $125,000 from Water Surplus to fund water purchase from the Massachusetts Water Resources Authority for Fiscal Year 2000.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

At 8:12PM on Monday, April 10, 2000 it was Moved and Unanimously Voted to DISSOLVE the Special Town Meeting of April 10, 2000.

At 8:12 PM the Annual Town Meeting of April 10, 2000 it was Moved and Unanimously Voted to RESUME the Annual Town Meeting of April 10, 2000.

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 10, 2000

ARTICLE 2: To see if the Town will vote to fix for the fiscal year beginning July 1, 2000 and ending June 30, 2001, the annual salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the General Laws, as amended:

Moderator	50.00	Assessors (3)	1,500.00
Town Clerk	12,000.00	School Committees (10)	500.00
Selectmen (3)	3,000.00	Board of Health (3)	450.00

, Or do or act anything in relation thereto.

MOTION MADE: That the Town fix for the fiscal year beginning July 1, 2000 and ending June 30, 2001, the annual salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the General Laws, as amended:

Moderator	50.00	Assessors (3)	1,500.00
Town Clerk	12,000.00	School Committees (10)	500.00
Selectmen (3)	3,000.00	Board of Health (3)	450.00

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 3: To see if the Town will vote to accept any sum of money from St. Mark's School, Fay School, Harvard Medical School New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted, or do or act anything in relation thereto

MOTION MADE: That the Town accept any sum of money from St. Mark's School, Fay School, Harvard Medical School New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 4: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2000 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or do or act anything in relation thereto.
MOTION MADE: That the Town authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2000 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 5: To hear the report of the Capital Budget Planning Committee, or do or act anything in relation thereto.
MOTION MADE: That the Town hears the report of the Capital Budget Planning Committee.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 6: To see if the Town will vote to delete Personnel Salary Administration Plan, Chapter 31 of the Code of the Town of Southborough, and insert in its place the following:
MOTION MADE: That the Town deletes Personnel Salary Administration Plan, Chapter 31 of the Code of the Town of Southborough, and inserts in its place the following:
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

SALARY ADMINISTRATION PLAN AND PERSONNEL BY-LAWS OF THE TOWN OF SOUTHBOROUGH

PREAMBLE

This by-law establishes a Salary Administration Plan for the Town of Southborough, which classifies the several position classifications in the Town services into groups, establishes salary schedules, establishes employee benefits and establishes a Personnel Board to administer the by-law and to represent the interest of both the taxpayers and the Town employees covered by the by-law.

The positions of all officers and employees in the service of the Town, whether full-time, part-time, temporary, seasonal, special, casual Civil Service or any other, other than those positions filled by popular election, those under the direction and control of the School Committee, and those encompassed in any officially recognized labor union and/or association, are hereby classified by titles in the groups listed in Schedule A, entitled "Classification Schedule," as set forth in Section 22 of the by-law.

The classification of positions which are subject to the Welfare Compensation Plan of the Commonwealth of Massachusetts and the scheduled rates therefor effective July 1, 1966 with subsequent amendments, if any, and the provisions of Section 47D of Chapter 31 of the General Laws relating to the application of rates set forth in the aforementioned Welfare Compensation Plan are hereby incorporated by reference.

SECTION 1. DEFINITIONS AND TERMS

As used in this by-law, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context or by the laws of the Commonwealth:

"Administrative Authority," the elected or appointed official or board having jurisdiction over a function or activity.

"Anniversary Year," is that year commencing on the first day of employment and terminating 365 days thereafter.

"Base Pay," is the compensation paid for the purposes of determining retirement credits and contributions for Town employees by the Town of Southborough.

The Town shall contribute funds as required for each eligible employee in accordance with the procedures and formula established by the Worcester County Retirement Board and the by-laws of the Town of Southborough.

Contributions shall be made by the Town for:

1. Wages earned during the first eight- (8) hours worked in any one day. No contributions shall be made for hours worked in excess of 40 hours per week.
2. Any lump sum bonus which is guaranteed as outlined in the Salary Administration Plan and the Personnel By-Laws of the Town and any collective bargaining agreement in force. Examples of lump sum bonuses are longevity pay and educational bonus.
3. Vacation pay except when paid in lieu of taking vacation.
4. Sick pay.
5. Holiday pay.

"Casual Position," a position calling for part-time employment, which service does not constitute continuous service; this service is rendered occasionally and without regularity according to the demand therefor.

"Civil Service Law," Chapter 31 of the General Laws of the Commonwealth as amended and all rules and regulations made thereunder; and any special law enacted by the General Court regulating the classification compensation and conditions of employment of officers and employees of the Town under Chapter 31.

"Class," a group of positions in the Town service sufficiently similar in respect to duties and responsibilities so that the same descriptive title may be used to designate each position allocated to the class, that the same qualifications shall be required of the incumbents, that the same tests of fitness may be used to choose qualified employees and that the same scale of compensation can be made to apply with equity.

"Classification Schedule," titles in Schedule A, B, C, and D of Section 22 of this by-law plus class specifications which are on file with the Personnel Board and which are hereby incorporated by reference.

"Compensation Grade," a range of salary or wage rates appearing in Schedule B, C, and D.

"Continuous full-time Service," employment requiring a predetermined minimum work period and uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Continuous Employment," full-time or part-time employment uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Department," a functional unit of Town government composed of one or more employees.

"Department Head" the person appointed to be responsible for carrying out the duties of a Department.

"Employee," an employee retained in full-time employment.

"Full-time Employment," employment for not less than 20 hours per week for fifty-two weeks per annum, minus legal holidays and authorized vacation leave, sick leave, bereavement leave, and other leaves of absence.

"Group," a group of classes appearing in Schedules A and D of Section 22.

"Increment," the dollar or percentage difference between step rates.

"Maximum Rate," the highest rate in a range, which an Employee normally is entitled to attain.

"Minimum Rate," the rate in a range which is normally the hiring rate of a new employee.

"Part-time Employee," an employee working in part-time employment.

"Part-time Employment," employment for less than full-time Employment, as defined above.

‸[Personal Rate deleted]

"Position," an office or post of employment in the Town service with duties and responsibilities calling for the full-time or part-time employment of one person in the performance and exercise thereof, or more than one person sharing the same position.

"Position Class," same as "Class," (a class may include only one position, in which event it is defined as a "single position class").

"Promotion," a change from a position of lower class and compensation grade to a position with greater responsibilities in a higher class and compensation grade.

"Range," the dollar difference between minimum and maximum rates of the assigned grade.

"Rate," a sum of money designated as compensation for personal services on an hourly, weekly, monthly, annual or other basis.

"Salary Schedule," Schedule B of Section 22.

"Single Rate," a rate for specific position class which is not in a designated range.

"Special Position," a position calling for part-time employment which, although constituting continuous employment, is not rendered during prescribed working hours, daily, weekly, or annually, but is rendered as required according to the demands for such service.

"Step Rate," rate in a range of compensation grade.

"Temporary Employee," (1) an employee retained in a temporary position as defined herein; (2) any employee holding a temporary appointment under Civil Service Law who does not also have permanent status thereunder.

"Temporary Position," or "Seasonal Position," any position in the Town service which requires or is likely to require the service of one incumbent for a period not exceeding six calendar months, either on a full-time or part-time basis.

"Town," the Town of Southborough.

SECTION 2. TITLES OF POSITIONS

No persons shall be appointed, employed or paid as an employee in any position subject to the provisions of the Salary Administration Plan and Personnel by-laws under any title other than those of the Classification Schedule, or under any title other than that of the job, the duties of which are actually performed. The job title in the Classification Schedule of the Plan shall be the official title for all purposes having to do with the position and shall be used to designate the position in all payrolls, budget estimates and official reports, and in every other connection involving personnel and fiscal processes.

SECTION 3. NEW OR CHANGED POSITIONS

Before a new position is established, or the duties of an existing position are so changed that a new level or work demand exists and in effect a new position is created, upon presentation of substantiating data satisfactory to the Personnel Board, the Board shall rate such new changed position and allocate it to its appropriate compensation grade and establish the rate change therefor.

SECTION 4. RECLASSIFICATION OF EMPLOYEES

No position may be reclassified to a classification in another compensation grade, either higher or lower, until the Personnel Board shall have determined such a reclassification will be consistent with the provisions of the Salary Administration Plan and Personnel by-laws.

SECTION 5. JOB DESCRIPTIONS AND INTERPRETATIONS

The Personnel Board shall maintain written job descriptions of the position classes in the Classification Schedule of the Plan, each consisting of a statement describing the essential nature of the work and characteristics that distinguish the class from other classes. The Department Heads shall be required to retain current job descriptions and to submit revisions to the Personnel Board after review by the Board of Selectmen or they're designated appointee or the appropriate Commissioners or Trustees. The description for any class shall not limit what the duties or responsibilities of any position shall be, or to modify or in any way affect the power of any administrative authority to appoint, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

SECTION 6. COMPENSATION

a. The weekly pay period shall begin at 12:01 a.m. Thursday and shall end at 12:00 a.m. The following Wednesday.

b. Employees subject to this Salary Administration Plan shall be paid time and one-half hours worked in the excess of eight (8) in a calendar day and/or 40 hours in one calendar week, provided such hours of work have been authorized by the Department Head.

In addition, all service outside of an employee's regularly scheduled tour of duty shall be at the overtime rate. Any employee who is recalled to duty hereunder shall be paid at the overtime rate for all such time and shall be guaranteed a minimum of two (2) hours overtime recall pay.

c. Exempt employees who are paid a weekly salary, as opposed to those non-exempt employees who are paid an hourly wage, shall not be paid for those hours worked in excess of the regular scheduled work week.

d. The Salary Schedule of the Salary Administration Plan and Personnel by-laws set forth as Schedules B, C, and D of Section 22 of this by-law, shall consist of the maximum and minimum salaries, in the Classification Schedule. The salary grade shall be the salary range for all position classes allocated to that grade.

e. Amounts paid to employees in reimbursement for expenses incurred in the performance of their duties such as mileage, meals, lodging, dues or similar job-related expenses shall be paid in addition to their compensation. All such payments shall be made as other charges and expenses to the extent budgeted by each department, board or commission. The rate of reimbursement shall be based upon the actual documented expenditure made by the employee, or at rates established by the Internal Revenue Service, supported by that agency's requirements for documentation.

SECTION 7. ADJUSTMENT POLICIES

a. Every employee subject to this plan and who is in continuous full-time service of the Town, computed from the date of his/her latest employment, shall be eligible annually for consideration of a merit increase advance to the next higher step rate, one year from the date of his/her latest increase. Such increase is not to exceed one step rate in any single twelve month period until the maximum of the grade is obtained, subject to the approval of the Department Head, and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and the Personnel Board. An evaluation of the employee's performance in format approved by the Personnel Board must accompany a letter requesting a merit increase. The Employee shall appear before the Personnel Board prior to it acting on any request for a merit increase. Any employee denied such an increase has the right to appeal, in writing to the Personnel Board, which shall confer with the employee, the Department Head and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and shall decide the matter. The Personnel Board shall approve all adjustments, in advance.

b. Regular Part-Time employees, for whose position step rates are provided, shall be eligible for consideration for increases on the same basis as provided for Full-Time personnel in clause (a) of this Section. Special, casual and other Part-Time personnel for whose positions there is a single rate established on Schedule D of Section 22, shall not be eligible for step rate increases.

SECTION 8. TRANSFERS AND PROMOTIONS

a. ^An employee who is promoted to a job with a higher rate range, or rate of pay ^ shall enter it at the rate recommended by the Department Head with the approval of the Personnel Board, but in no event at a rate in excess of the maximum for such job. The employee may also receive at the time a one step rate increase, provided the maximum for the job is not exceeded, if the Department Head recommends that qualifications and performance warrant it and the Personnel Board approves. If the Department Head should feel that there should be a trial period before recommending the promotional one step rate increase, on recommendation of the Department Head, the Personnel Board may approve such a deferred promotional increase at the conclusion of the trial period, not to exceed three (3) months.

b. ^An employee ^ transferred to a job with a lower rate range, or rate of pay, ^ shall enter it at ^ the rate paid for the previous position ^ or at the maximum rate for the job, whichever is the lower, provided the Personnel Board approves. The employee shall have a right to appeal to the Personnel Board and to be heard thereon, and the Personnel Board shall decide the matter.

SECTION 9. NEW PERSONNEL

a. Physical examinations are required of all employees before being hired consistent with the Town's policies.

b. The hiring rate shall be the minimum of the rate range of the job for which the new employee is hired, unless otherwise authorized by the Personnel Board. Department Heads shall notify the Personnel Board of the hiring of all personnel and their hiring rates.

c. For new regular Full-Time and new regular Part-Time personnel for whose positions there is a rate range and step rates, the first six months of employment shall be a probationary period at the end of which the employee may advance one step rate, provided that the Department Head and the Personnel Board decide the employee's performance warrants it. The employee shall thereafter be reviewed for a step rate increase one year from the date of the employee's latest increase. This probationary step rate increase shall apply only at the start of employment and shall not apply in case of transfer or promotion from one job to another.

SECTION 10. DEPARTMENT BUDGETS

Each Department Head shall include in the annual budget a pay adjustment section to provide funds for anticipated pay adjustment during the ensuing year, expenditures to be made therefrom only in accordance with the Salary Administration Plan and Personnel by-laws with the approval of the Personnel Board.

SECTION 11. EMPLOYEE BENEFITS

Employee benefits, such as holiday and vacation with pay, sick leave and other such matters, are a cost item to the Town and a form of "indirect pay," and included in the coverage of the Salary Administration Plan and Personnel by-laws, both those included in the Plan at its adoption and any other which may be included in the future.

a. Holidays with Pay

Each eligible Employee shall receive one day's pay at their regular straight time rate for the following holidays:

New Year's Day
Martin Luther King's Birthday
Presidents' Day
Patriot's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving Day
Christmas Day
Day before or after Christmas Day

To be eligible for holiday pay, an Employee must work both their regular scheduled day preceding and their regular scheduled day following the holiday, or be excused from work pursuant to the provisions for absences with pay listed in the next Section.

An Employee whose regular day off falls on a holiday may elect to have one day off with pay in the following week in lieu of holiday pay, providing the choice of day is approved by the Department Head.

Details as to administrative policies and practices relative to holidays with pay shall be prepared and established under the direction of the Personnel Board.

b. Vacations with Pay

(1) Regular full-time Employees who have been in the continuous employ of the Town, as such, shall be paid their regular week's pay or portion thereof as vacation pay in accordance with the following schedule:

6 months	5 days	
1 year	*10 days*	*(may take five days after six months - not to exceed ten days in first year)*
5 years	15 days	
10 years	20 days	
15 years	25 days	
20 years	30 days	

(2) Vacations shall be granted by Department Heads at such time as, in their opinion, will cause least interference with the performance of the regular work of the Departments. An Employee shall be permitted to carry over up to one year's earned vacation. The Employee must have the Department Head's approval to take to take any portion of a prior year's unused vacation in addition to the days earned in the current fiscal year.

(3) If, in the opinion of the Department Head, there are unusual circumstances which warrant it, an Employee may, upon request, continue at work and receive vacation pay in lieu of taking vacation.

(4) In the event of termination of employment, which is caused through no fault of the Employee, or by reason of retirement, the Employee shall be paid, or be entitled to time off with pay, for any accumulated vacation prorated on the basis of service since the Employee's preceding vacation. In the event of the death of any Employee, any accumulated vacation pay shall be paid to the Employee's estate.

(5) Vacation administrative policies and practices shall be prepared and established under the direction of the Personnel Board.

c. Sick Leave

(1) All regular full-time Employees shall be entitled to fifteen- (15) day's sick leave per year. Unused sick leave may be accumulated without limitation. Pay for each day of sick leave shall be at the rate of a regular day's pay. Absences on account of sickness in excess of that authorized may, at the discretion of the Department Head and the Personnel Board, be charged to vacation leave. Sick leave shall be payable only in cases of bona fide illness, non-work-connected accident, or work-connected accidents not covered by Massachusetts General Laws annotated Chapter 152 (Workers' Compensation). At retirement, the Town will pay to the Employee for twenty (20%) of the Employee's ten-accumulated sick leave.

(2) Employees who because of sickness or a non-work-connected accident are absent for a period of more than two (2) days shall be required to present a doctor's certificate to their Department Head stating reason and period of time the Employee will be absent from work. The above section is not to be construed by an Employee or Department Head for time off for any sickness caused by over-indulgence in alcohol or narcotics or by his or her misconduct.

(3) An Employee may use up to seven (7) of the allowed fifteen (15) days of sick leave for the care of a sick family member who, in the opinion of the Department Head, is closely associated with the Employee.

(4) Details as to sick leave administrative policies and practices shall be as prepared and established under the direction of the Personnel Board.

d. Personal Days

^Each Employee shall be entitled to three (3) personal days per year. A Department Head may honor the request for a personal day made by any member of their Department who may have ^ a normally accepted need for a personal day. However, in no event shall personal days for any one Employee exceed three days per fiscal year nor shall ^ personal days accumulate from year to year.

e. Workers' Compensation

^ Workers' Compensation benefits_shall be paid in accordance with the Town's Worker's Compensation Plan in place from time to time.

f. Military Leave

An employee in full-time employment in the military reserve shall be paid the difference between compensation received while on reserve duty and regular compensation rates paid to that employee by the Town. Such payment by the Town shall be limited to a period not to exceed two weeks in any twelve month period and shall not include payment to members of the National Guard who may be mobilized during an emergency in the Commonwealth.

g. Jury Duty

^Any employee is called to jury duty shall receive an amount equal to the difference between their normal compensation and the amount (excluding any travel allowance) received from the court, upon presentation of evidence of the amount paid by the court.

h. Miscellaneous Paid Time Off

Working time lost from regularly scheduled work days for reasons listed below shall be without loss of pay, provided such lost time is with authorization of the Department head:

(1) Bereavement leave - In the event of the death of a spouse, father, mother, children, father-in-law, mother-in-law, brother or sister, or of any person residing with the family of an employee, such employee shall be entitled to receive three (3) days leave for the purpose of the funeral arrangements and burial of said deceased. In the event that travel is required out of state, the Department head in his or her discretion may authorize two (2) additional days of travel time.

(2) Inoculation required by Municipal Employer.

(3) Red Cross blood donation authorized by the Department.

(4) Medical examinations required by employer.

(5) Attendance at educational programs required or authorized by Town or Department.

i. Court Time Pay

Any employee who normally is on duty at night, or is on vacation, furlough or day off, who is required to attend ^ Court as a witness or in any other capacity ^ arising from the performance of his/her duty or in behalf of the Commonwealth or the Town in any civil **or** criminal case pending in any Court or before any official governmental board or agency shall be entitled to overtime compensation for every hour or fraction thereof during which ^ they attend ^ or appear ^, but in no event less than three (3) hours of such overtime pay.

j. Educational Increment

All full-time employees subject to the provisions of the Salary Administration Plan and Personnel by-laws who have earned credits leading to a degree while an employee of the Town in a field applicable to their position as determined by the Department head, and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and the Personnel Board, in a degree granting program from an accredited college or university, shall receive a one-time bonus, according to the following schedule:

Associates Degree......	$ 800.00
Bachelors Degree.......	$1,200.00
Masters Degree..........	$1,500.00

A copy of the completed transcript or diploma or other appropriate evidence of the completed degree must be presented to the Department head and a copy to the Board of Selectmen who shall maintain complete and ongoing records for participants.

k. Tuition Reimbursement

The Town will provide tuition reimbursement, so long as:

(1) the course is accredited and pertains to the employee's specific job or position. Such information shall be presented to the Department head, in writing, prior to enrollment in the course; and

(2) the Department head, and the Board of Selectmen or their designated appointee, or the appropriate commissioners or trustees and the Personnel Board, approves of the commitment of Town funds prior to registration by the employee, or the employee assumes responsibility for payment; and

(3) an approved purchase order is issued prior to registration by the employee's department Head; and

(4) the employee attains a grade for the course of "C" or better and presents written verification of such grade to the Department head.

l. Maternity Leave

(1) A female employee who has completed the initial probationary period of six months, who is absent from such employment for a period not exceeding twelve weeks for the purpose of giving birth, said period to be hereinafter called maternity leave, and who shall give at least two weeks' notice to her Department head or supervisor of departure and intention to return, shall be restored to her previous, or a similar position, with the same status pay, length of service credit and seniority, where applicable, and other employment benefits for which she was eligible on the date her leave commenced.

(2) Accrued sick leave benefits shall be provided for maternity leave purposes under the same terms and conditions which apply to other temporary medical disabilities.

(3) Such maternity leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit benefits, plans or programs for which she was eligible at the date of her leave, and any other advantages or rights of her employment incidental to her employment position.

m. Group Insurance

The Town will contribute fifty percent (50%) of the cost of an indemnity plan for medical coverage or ^ninety percent 90% of the cost of the Health Maintenance Organization plan.

SECTION 12. LEAVE OF ABSENCE

a. **A** leave of absence for valid reasons may be granted by a Department Head, but shall be without compensation.

b. Leaves of absence of over three months' duration, except military leave, shall be considered a break in employment, and on return to work the employee shall have the status of a new employee unless an extension of leave beyond three months has been authorized by the Personnel Board.

SECTION 13. TRANSITIONS BETWEEN FULL-TIME AND PART-TIME STATUS

a. A Part-Time employee shall be eligible for Full-Time (employee) status when the employee has worked over 20 hours a week for a period of at least three consecutive months. This status change requires prior approval by the appropriate Department head.

b. A Full-Time employee whose hours of employment total less than 20 hours per week, exclusive of legal holidays and authorized vacation leave, sick leave, bereavement leave and other authorized leaves of absence for a period of more than three consecutive months shall be considered to be a Part-Time employee.

SECTION 14. APPOINTMENT OF “ACTING” DEPARTMENT HEADS

[Previously Section 21]

The Board of Selectmen or the appropriate commissioners or trustees may appoint, where necessary, in the case of the absence of a Department Head for three (3) consecutive weeks, excluding vacation periods, an “Acting” Department Head.

These “Acting” employees shall be compensated at an additional step rate of 10% per week. Such pay shall be retroactive only upon the conclusion of three (3) consecutive weeks of service by the “Acting” Department Head.

While on “Acting” status, which should be no longer than three (3) months, an employee shall still be eligible for overtime pay when fulfilling regular duties from the previous job beyond normal working hours.

15. PERSONNEL BOARD

a. There shall be a Personnel Board to administer the Salary Administration Plan and Personnel By-Laws, said Board to be appointed by the Moderator, consisting of five voters other than employees of the Town or those regularly serving the Town in any elective ^ capacity. They shall serve without compensation.

b. Future appointments shall be for three years. The Moderator shall fill any vacancies. All members shall continue to hold office until their successors have been appointed and qualified. The Personnel Board may employ assistance and incur expenses as it deems necessary, subject to appropriation of funds thereof.

SECTION 16. DUTIES OF THE PERSONNEL BOARD

a. The Personnel Board shall administer the Salary Administration Plan and Personnel By-Laws and shall establish such policies, procedures and regulations as it deems necessary for the administration of the Plan.

b. The Board shall meet annually in July and organize by the choice of a Chairman and Clerk. The Board shall meet at least monthly, except for the month of August. A majority of the Board shall constitute a quorum for the transaction of business. The votes of the majority of all the members of the Board shall be necessary on any matter upon which it is authorized to or required to pass under the Salary Administration Plan and Personnel By-Laws.

c. The Personnel Board shall have maintained records of all employees subject to this Plan, included therein such information as it deems desirable, such records are to be kept by the Town Accountant, under the direction of the Board. Department Heads shall furnish such information as shall be requested by the Board. The Town Accountant shall also check on matters covered by the Plan and shall bring any deviations to the attention of the Board prior to payment.

d. The Personnel Board, from time to time, shall review the Salary Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. The Personnel Board may tentatively add a new class to the Classification Schedule or reallocate an existing class to a different compensation grade, either higher or lower, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next annual Town meeting.

e. On or before February 15 of each year the Personnel Board shall vote an annual adjustment which amends the weekly salary schedule for the forthcoming year, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting. Notwithstanding, the Personnel Board shall reserve the right to vote no adjustment as long as such determination is voted on or before February 15 of each year.

f. The Personnel Board shall, from time to time, review the Salary Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. It shall keep informed as to pay rates and policies outside the services of the Town, and shall recommend to the Town any action which it deems desirable to maintain a fair equitable pay level.

g. Matters that are sent to the Chairman and Clerk of the Personnel Board by registered mail must be brought before the Board at its next scheduled meeting. Failure of the board to vote to approve or disapprove requests within thirty (30) days of that meeting shall constitute approval of the request. In addition, notice in writing shall be forwarded to the concerned employee and respective Department head within three (3) days of the Board's decision. Notwithstanding, if the Personnel Board shall so request and the concerned employee and his/her Department head shall mutually agree, a reasonable extension of these time periods may be granted.

h. Upon recommendation of a Department head, supported by evidence in writing of special reasons and exceptional circumstances satisfactory to the Personnel Board, said Board may authorize an entrance rate higher than the minimum rate for a position, and such other variances in the Salary Administration Plan and Personnel By-Laws as it may deem necessary for the proper functioning of the services of the Town, and to effectuate the basic intent of the Plan.

SECTION 17. EMPLOYEES AND THE PERSONNEL BOARD

a. All employees presently covered by this Plan shall have the right to request an appointment to confer with the Board on any matter which is of interest or concern to them and which is covered by the Salary Administration Plan and Personnel By-Laws. The employee shall notify the Department head in writing in advance of his/her desire to discuss the matter with the Board. One of the duties of the Board shall be to foster mutual understanding and good will with the personnel of the Town.

b. To facilitate this, if any employee should feel aggrieved by the operation of any provision of the Plan, he/she shall first discuss the matter with his/her Department head, in a mutual effort to clear up any problems or misunderstanding.

c. If two weeks after such a conference, a satisfactory understanding and solution of the problem has not been reached, then either the Department head or the employee may take the matter to the Board. The Board shall hear the parties not later than its next regular meeting. There shall be no discrimination or prejudice by a Department head against any employee who may take a matter to the Board.

SECTION 18. AMENDMENT OF THE PLAN

The Salary Administration Plan and Personnel By-Laws may be amended in the same manner in which Town By-Laws may be amended; provided, however, that no amendment to the Plan shall be made until it has been presented by a signed petition addressed to and submitted to the Personnel Board, and acted upon by the Board. Upon receipt of such a written petition, the Board, after giving the petitioners, the Department Heads and employees affected at least one week's written notice, shall hold a hearing of the parties interested to consider the proposed amendment. If the Personnel Board shall approve of any such proposed amendment, it shall take the proper steps to bring the proposed amendment before the next annual Town meeting for its consideration and action. If the Personnel Board shall disapprove any such proposed amendment, and failure to act thereof within fifteen days after the hearing shall be deemed disapproved, the petition may then be presented to the next annual Town meeting for its consideration and action, if so desired. The Board of its own motion, after a similar hearing and/or conference with parties interested, may propose an amendment to the Plan.

SECTION 19. CIVIL SERVICE LAW

Nothing in this by-law, or in the Salary Administration Plan and Personnel By-Laws, shall be construed to conflict with Chapter 31 of the General Laws, which is the Chapter dealing with the Civil Service Law.

Section 20. SEPARABILITY PROVISION

In the event that any provision of this by-law, or application thereof, shall be held to be invalid by the proper authorities, this shall not be construed to effect the validity of any other provision, or application thereof, of this by-law.

SECTION 21 [reserved]

ARTICLE 22

COMPENSATION SCHEDULE

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11
20	55,029.00	57,382.00	59,737.00	62,187.00	64,735.00	67,392.00	70,087.00	72,890.00	75,806.00	78,838.00	81,992.00
19	51,914.00	54,134.00	56,356.00	58,667.00	61,071.00	63,577.00	66,120.00	68,765.00	71,516.00	74,376.00	77,351.00
18	48,974.00	51,069.00	53,166.00	55,343.00	57,615.00	59,978.00	62,377.00	64,872.00	67,467.00	70,166.00	72,973.00
17	46,203.00	48,180.00	50,155.00	52,211.00	54,352.00	56,584.00	55,847.00	61,201.00	63,649.00	66,195.00	66,843.00
16	43,182.00	45,026.00	46,875.00	48,798.00	50,798.00	52,880.00	54,995.00	57,195.00	59,483.00	61,862.00	64,335.00
15	39,984.00	41,692.00	43,401.00	45,182.00	47,035.00	48,963.00	50,922.00	52,958.00	55,076.00	57,279.00	59,570.00
14	36,680.00	38,252.00	39,817.00	41,452.00	43,152.00	44,919.00	46,716.00	48,584.00	50,527.00	52,548.00	54,650.00
13	33,343.00	34,772.00	36,198.00	37,683.00	39,228.00	40,837.00	42,470.00	44,169.00	45,936.00	47,773.00	49,684.00
12	30,040.00	31,327.00	32,611.00	33,949.00	35,339.00	36,790.00	38,262.00	39,792.00	41,384.00	43,039.00	44,761.00
11	13.87	14.48	15.08	15.71	16.33	17.01	17.69	18.40	19.13	19.90	20.70
10	12.54	13.07	13.61	14.17	14.73	15.34	15.95	16.59	17.26	17.95	18.66
9	11.82	12.34	12.83	13.36	13.88	14.48	15.06	15.66	16.29	16.94	17.62
8	11.26	11.75	12.24	12.72	13.27	13.78	14.33	14.90	15.50	16.12	16.77
7	10.73	11.20	11.64	12.10	12.61	13.11	13.63	14.18	14.75	15.34	15.95
6	10.25	10.67	11.07	11.55	12.03	12.51	13.01	13.53	14.07	14.63	15.22
5	9.71	10.15	10.55	10.98	11.42	11.91	12.39	12.88	13.40	13.93	14.49
4	9.26	9.65	10.05	10.46	10.90	11.33	11.78	12.25	12.74	13.25	13.78
3	8.84	9.19	9.57	9.97	10.37	10.67	11.10	11.54	12.00	12.48	12.98
2	8.34	8.67	9.02	9.38	9.76	10.15	10.55	10.97	11.41	11.87	12.35
1	7.87	8.18	8.51	8.85	9.21	9.58	9.96	10.36	10.77	11.20	11.65

SCHEDULE A: FULL-TIME SALARY GRADED POSITIONS

Animal Control Officer	12
Children's Librarian	12
Council on Aging Coordinator	12
Prevention Coordinator, Youth Commission	14
Staff Engineer	14
Assistant to Town Administrator	14
Youth Director, Youth Commission	15
Town Accountant	16
Building Inspector	16
Treasurer/Collector	16
Library Director	18
Principal Assessor	18
Public Health Director	18
Town Planner	18
Assistant Superintendent, DPW	19
Chief, Fire Department	*20*

SCHEDULE B: FULL-TIME HOURLY GRADED POSITIONS

Library Assistant	10
Maintenance Custodian	10

SCHEDULE C: PART-TIME HOURLY GRADED POSITIONS

Swimming Aides	1
Tennis Aides	1
Seasonal Laborer	1
Library Page (P. T.)	1
Summer Program Assistant, Youth Commission	2
Playground Counselors	2
Tennis Instructors	2
Page, Library	3
Election Worker (P. T.)	3
Election Warden (P. T.)	4
Clerk, Library	5
Clerk, Recreation	5
Library Custodian	5
Playground Supervisors	5
Secretary, Town Committee	8
Swimming Instructors	6
Tennis Director	9
Swimming Director	10
Director of Recreation Commission	11
Tree Warden	11

SCHEDULE D: PUBLIC SAFETY COMPENSATION (Not covered by Collective Bargaining)

		AMOUNT	
	GRADE	PER DRILL	PER BOX ALARM
Police Dispatcher (part time)	8		
Reserve Police Officer (part time)	9		
Call Fire Lieutenant		79.07	30.42
Call Fire Fighter		66.90	24.33
Call Fire Fighter 2		30.42	12.16

When a call fire fighter works in place of a permanent fire fighter he is reimbursed on an hourly basis equal to the first step of a permanent fire fighter.

SCHEDULE E: MISCELLANEOUS ANNUAL COMPENSATION SCHEDULE

Clerk, Board of Registrars		1,638.33
Registrar of Voters		205.66
Town Counsel	(plus fees)	1,704.33
Veterans' Agent and Director of Veterans' Services		9,836.68

Longevity Pay For Full-Time Continuous Employment - 20 Hours or More

After 5 years	$ 400 per annum
After 10 years	$ 600 per annum
After 15 years	$ 700 per annum
After 20 years	$ 850 per annum
After 25 years	$1,000 per annum
After 30 years	$1,200 per annum
After 40 years	$1,500 per annum

, or do or act anything in relation thereto (Proposed by the Personnel Board)

ARTICLE 7: To see if the town will vote to raise a sum of money not to exceed the sum of $21,720,004 as may be necessary for the Town's use, and make appropriations of the same; or do or act anything in relation

MOTION MADE: That the Town raise a sum of money not to exceed the sum of $21,720,004 as may be necessary for the Town's use, and make appropriations of the same.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

MOTION MADE: To divide the question.

MOTION: To take an umbrella vote on those budgets, which do not have a hold on them. This one Vote will have the affect of voting each separately.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

MOTION: To pass budgets not on hold.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

GENERAL GOVERNMENT

BUDGET NAME	FY 2001 REQUEST
114 MODERATOR	
700 Other Charges	50
MODERATOR TOTAL	50
119 ADVISORY COMMITTEE	
700 Other Charges	135
ADVISORY COMMITTEE TOTAL	135
122 BOARD OF SELECTMEN	
110 Salaries	193,759
100 Total Personal Services	193,759
304 Medical Exams	500
342 Legal Notices	1,500
200 Total Purchase of Services	2,000
710 Travel	1,000
730 Dues	2,558
732 Subscriptions	1,565
733 Conferences/Schooling	4,100
782 Miscellaneous	0
700 Other Charges and Expenses	9,233
BOARD OF SELECTMEN TOTAL	204,982
135 TOWN ACCOUNTANT	
110 Salaries	88,813
100 Total Personal Services	88,813
342 Legal Notices	0
380 Misc. Contracted Services	0
200 Total Purchase of Services	0
420 Office Supplies	150
400 Total Supplies	150
700 Other Charges	575
800 Capital Outlay	0
TOWN ACCOUNTANT TOTAL	89,538
141 ASSESSORS	
110 Salaries	110,310
100 Total Personal Services	110,310
345 Advertising	0
380 Misc. Contracted Services	29,500
200 Total Purchase of Services	29,500
420 Office Supplies	1,500
581 Maps	3,000
582 Deeds & Plans	1,100
400 Total Supplies	5,600
700 Other Charges	8,500
800 Capital Outlay	0
ASSESSORS TOTAL	153,910
145 TREASURER/COLLECTOR	
110 Salaries	152,784
100 Total Personal Services	152,784
253 Computer Services	1,800
382 Bank Service Charges	14,000
200 Total Purchase of Services	15,800
420 Office Supplies	6,500
400 Total Supplies	6,500
700 Other Charges	3,450
800 Capital Outlay	500
TREASURER/COLLECTOR TOTAL	179,034

151 LEGAL

308 Legal Services	50,000
200 Total Purchase of Services	50,000
LEGAL TOTAL	50,000

152 PERSONNEL BOARD

110 Salaries	1,402
100 Total Personal Services	1,402
344 Postage	25
380 Misc. Contracted Services	5,000
200 Total Purchase of Services	5,025
420 Office Supplies	50
400 Total Supplies	50
700 Other Charges	0
PERSONNEL BOARD TOTAL	6,477

158 ADMINISTRATIVE SUPPORT

110 Salaries	70,025
100 Total Personal Services	70,025
420 Office Supplies	250
400 Total Supplies	250
700 Other Charges	0
800 Capital Outlay	0
ADMINISTRATIVE SUPPORT TOTAL	70,275

159 CENTRAL SERV/OPS SUPPORT

110 Salaries	37,672
100 Total Personal Services	37,672
253 Computer Services	44,415
273 Postage Meter Rental	1,300
340 Printing	10,000
341 Telephone	10,100
344 Postage	23,000
380 Misc. Contracted Services	12,300
200 Total Purchase of Services	101,115
420 Office Supplies	7,575
421 Storage of Microfilm	1,000
422 Photocopying Supplies	4,460
510 Books	0
584 Computer Supplies	7,235
599 Service Supplies	0
400 Total Supplies	20,270
710 Travel	0
733 Schooling	21,110
782 Miscellaneous	2,300
700 Total Other Charges and Expenses	23,410
850 New Equipment	0
854 Computer Equipment	14,309
800 Capital Outlay	14,309
CENTRAL SERV/OPS SUPPORT TOTAL	196,776

161 TOWN CLERK

110 Salaries	36,888
100 Total Personal Services	36,888
245 Equipment Repairs	50
304 Medical Exams	0
346 Report of Vital Statistics	260
200 Total Purchase of Services	310
420 Office Supplies	425
421 Storage of Microfilm	100
583 Dog Licenses	500
400 Total Supplies	1,025

700 Other Charges	1,210
800 Capital Outlay	500
TOWN CLERK TOTAL	39,933

162 ELECTIONS & REGISTRATION

110 Salaries	42,405
100 Total Personal Services	42,405
240 Equipment Repair	75
343 Street Listings	6,500
200 Total Purchase of Services	6,575
420 Office Supplies	3,000
580 Town Meeting Expenses	2,500
400 Total Supplies	5,500
700 Other Charges	2,300
800 Capital Outlay	500
ELECTIONS & REGISTRATION TOTAL	57,280

171 CONSERVATION COMMISSION

341 Telephone	420
200 Total Purchase of Services	420
420 Office Supplies	100
400 Total Supplies	100
700 Other Charges	2,455
800 Capital Outlay	0
CONSERVATION COMMISSION TOTAL	2,975

175 PLANNING BOARD

110 Salaries	62,980
100 Total Personal Services	62,980
340 Printing Services	300
342 Legal Notices	300
380 Misc. Contracted Services	0
200 Total Purchase of Services	600
420 Office Supplies	200
400 Total Supplies	200
700 Other Charges	1,200
800 Capital Outlay	0
PLANNING BOARD TOTAL	64,980

192 TOWN BUILDINGS & GROUNDS

110 Salaries	54,346
100 Total Personal Services	54,346
210 Electricity	11,583
212 Heat	8,475
230 Water	11,539
244 Building Maintenance & Repair	16,190
247 Grounds Maintenance	16,500
380 Misc. Contracted Services	105,00
200 Total Purchase of Services	169,287
481 Gasoline	55,875
400 Total Supplies	55,875
779 Renovation of Historical Building	0
782 Miscellaneous	0
700 Total Other Charges & Expenses	0
850 New Equipment	1,700
867 New Improvements	0
800 Capital Outlay	1,700
TOWN BUILDINGS & GROUNDS TOTAL	281,208

PUBLIC SAFETY

POLICE DEPARTMENT

110 Salaries	1,031,630
190 Employee Allowance	15,000
100 Total Personal Services	1,046,630
210 Electricity	5,000
211 Heat & Oil	4,000
230 Water	200
241 Vehicle Maintenance & Repair	5,000
242 Radio Repair	3,000
243 Service Equipment	10,500
244 Building Maintenance & Repair	5,000
304 Medical Exams	350
341 Telephone	7,700
342 Legal Notices	100
344 Postage	800
200 Total Purchase of Services	41,650
599 Service Supplies	4,500
400 Total Supplies	4,500
700 Other Charges	9,650
800 Capital Outlay	4,000
POLICE DEPARTMENT TOTAL	1,106,430
	*-28,496
	1,077,934

*MOTION MADE: To reduce the Police Department Budget by $28,496 to a new total of 1,077,934.
VOTED UNANIMOUSLY: To reduce the Police Department Budget by 28,496 to a new total of 1,077,934.

220 FIRE DEPARTMENT

110 Salaries	912,272
190 Employee Allowance	12,445
100 Total Personal Services	924,717
210 Electricity	7,400
211 Heat & Oil	3,500
230 Water	470
241 Vehicle Maintenance & Repair	10,500
243 Service Equipment	5,500
244 Building Maintenance & Repair	4,900
341 Telephone	3,500
380 Misc. Contracted Services	0
200 Total Purchase of Services	35,770
420 Office Supplies	3,450
480 Grease & Oil	300
510 Books/A.V. Materials	2,000
599 Service Supplies	4,500
400 Total Supplies	10,250
700 Other Charges	6,450
800 Capital Outlay	9,500
FIRE DEPARTMENT TOTAL	986,687

241 BUILDING DEPARTMENT

110 Salaries	54,995
100 Total Personal Services	54,995
380 Misc. Contracted Services	0
200 Total Purchase of Services	0
420 Office Supplies	0
530 Building Supplies	825
400 Total Supplies	825
700 Other Charges	3,135
800 Capital Outlay	1,000
BUILDING DEPARTMENT TOTAL	59,955

291 CIVIL DEFENSE

110 Salaries	965
100 Total Personal Services	965
245 Equipment Repairs	240
341 Telephone	410
200 Total Purchase of Services	650
420 Office Supplies	0
400 Total Supplies	0
700 Other Charges	0
800 Capital Outlay	500
CIVIL DEFENSE TOTAL	2,115

292 ANIMAL CONTROL OFFICER AND ANIMAL INSPECTOR

110 Salaries	31,327
100 Total Personal Services	31,327
270 Facility Rental	3,000
341 Telephone	0
383 Care & Destruction	31,00
200 Total Purchase of Services	6,100
420 Office Supplies	100
599 Service Supplies	300
400 Total Supplies	400
700 Other Charges	2,700
800 Capital Outlay	200
ANIMAL CONTROL OFFICER AND ANIMAL CONTROL INSPECTOR TOTAL	40,727

PUBLIC WORKS

420 DEPARTMENT OF PUBLIC WORKS

110 Salaries	904,880
190 Employee Allowance	23,884
100 Total Personal Services	928,764
210 Electricity	68,000
211 Heat	11,500
230 Water	925
244 Building Maintenance & Repair	11,500
245 Equipment Repairs	18,000
246 Traffic Signal Maintenance	1,000
250 Meter Repairs	2,000
251 Hydrant Repairs	4,000
271 Equipment Rental	1,400
293 Refuse Disposal	170,000
295 Service Connection	12,000
296 MDC Payment	410,000
297 Snow Removal - Contr.	35,000
305 Tree Experts	41,000
341 Telephone	11,000
342 Legal Notices	1,400
344 Postage	3,400
380 Miscellaneous Contracted Services	35,000
200 Total Purchase of Services	837,125
420 Office Supplies	4,000
490 Meals	900
529 Parts - Other Depts.	0
531 Highway Paint	10,000
532 Parts	30,000
534 Gravel. Stone & Fill	2,000
535 Salt & sand	65,000
537 Bituminous Concrete	3,500
538 Signs	8,000
539 Drainage Materials	3,500
540 Guard Rail	500

DEPARTMENT OF PUBLIC WORKS (CON'T)

541 Small Tools	2,700
542 DPW Service Supplies	11,400
543 Pipe & Fittings	4,500
544 Meters & Fittings	13,000
400 Total Supplies	159,000
700 Other Charges	4,100
800 Capital Outlay	8,500
DEPARTMENT OF PUBLIC WORKS TOTAL	1,937,489

	WATER DIVISION	DPW, ALL OTHER	DPW TOTAL
100 Personal Services	306,968	621,796	928,764
200 Purchase of Services	534,150	302,975	837,125
400 Supplies	27,300	131,700	159,000
700 Other Charges	1,840	2,260	4,100
800 Capital Outlay	3,500	5,000	8,500
TOTAL	873,758	1,063,731	1,937,489

750 INTEREST ON DEBT

WATER FUND

Water Extension	0
Water Extension	0
900 DEBT SERVICE	0
710 DEBT SERVICE	
Water Extension	0
Water Extension	0
900 DEBT SERVICE	0

424 STREET LIGHTS

210 Electricity	95,000
200 Total Purchase of Services	95,000
STREET LIGHTS TOTAL	95,000

HUMAN SERVICES

511 BOARD OF HEALTH

110 Salaries	82,542
100 Total Personal Services	82,542
307 Nursing Services	1,500
345 Advertising	300
380 Misc. Contracted Services	5,500
200 Total Purchase of Services	7,300
420 Office Supplies	1,400
599 Service Supplies	0
400 Total Supplies	1,400
700 Other Charges	6,850
800 Capital Outlay	2,500
BOARD OF HEALTH TOTAL	100,592

541 COUNCIL ON AGING

110 Salaries	37,284
100 Total Personal Services	37,284
340 Printing	300
341 Telephone	360
344 Postage	650
380 Misc. Contracted Services	7,200
200 Total Purchase of Services	8,510
420 Office Supplies	400
599 Service Supplies	720
400 Total Supplies	1,120
700 Other Charges	625
800 Capital Outlay	0
COUNCIL ON AGING TOTAL	47,539

543 VETERANS' SERVICES

110 Salaries	9,838
100 Total Personal Services	9,838
700 Other Charges	11,567
VETERANS' SERVICES TOTAL	21,405

632 YOUTH COMMISSION

110 Salaries	84,062
100 Total Personal Services	84,062
380 Misc. Contracted Services	28,700
200 Total Purchase of Services	28,700
599 Service Supplies	5,000
400 Total Supplies	5,000
700 Other Charges	3,600
800 Capital Outlay	0
YOUTH COMMISSION TOTAL	121,362
	*-9,200
	112,162

*MOTION MADE: To reduce the Youth Commission Budget by $9,200 to a new total of $112,162. VOTED UNANIMOUSLY: To reduce the Youth Commission Budget by 9,200 to a new total of $112,162.

CULTURE AND RECREATION

610 LIBRARY

110 Salaries	212,714
100 Total Personal Services	212,714
210 Electricity	11,000
211 Heat & Oil	6,000
230 Water	175
244 Building Maintenance	13,000
245 Equipment Repairs	3,000
341 Telephone	1,500
200 Total Purchase of Services	34,675
420 Office Supplies	2,000
510 Books	53,000
400 Total Supplies	55,000
700 Other Charges	3,650
850 New Equipment	1,000
859 Automation/Retrospective Conversion	8,850
800 Capital Outlay	9,850
LIBRARY TOTAL	315,889

631 RECREATION

110 Salaries	63,867
100 Total Personal Services	63,867
247 Grounds Maintenance	0
304 Medical Exams	60
304 Printing	2,590
341 Telephone	0
345 Advertising	373
380 Misc. Contracted Services	1,000
200 Total Purchase of Services	4,023
512 Arts & Crafts	0
599 Service Supplies	400
400 Total Supplies	400
700 Other Charges	2,450
800 Capital Outlay	0
RECREATION TOTAL	70,740

633 HISTORICAL COMMISSION	
340 Printing	1000
344 Postage	100
380 Misc. Contracted Services	1,600
200 Total Purchases of Services	2,700
420 Office Supplies	300
400 Total Supplies	300
732 Subscriptions	100
782 Miscellaneous	0
700 Total Other Charges and Expenses	100
HISTORICAL COMMISSION TOTAL	3,100

INSURANCE

900 INSURANCE	
174 Workers' Compensation	0
100 Total Personal Services	0
170 Blue Cross - Health	39,677
171 HMO - Health	1,210,992
173 Dental - Health	83,781
100 Total Personal Services	1,334,450
172 Group Life Insurance	8,073
100 Total Personal Services	8,073
301 Consulting Services	11,000
200 Total Purchase of Services	11,000
742 Liability Package Policy	62,000
746 Police/Fire Accident	20,000
750 Youth Director	500
751 Medicare	95,000
753 Social Security	56,160
700 Other Charges and Expenses	233,630
INSURANCE TOTAL	1,587,183

DEBT AND INTEREST

750 INTEREST ON DEBT	
GENERAL FUND	
Library	0
Finn School	3,202,281
Underground Storage Tanks	0
Land Purchase	0
DPW Garage	57,750
Middle School	3,420,237
900 DEBT SERVICE	
6,680,268	
710 DEBT SERVICE	
GENERAL FUND	
Library	0
Finn School	8,835,000
Underground Storage Tanks	0
Land Purchase	0
DPW Garage	500,000
Middle School	8,550,000
MWPAT	188,706
900 DEBT SERVICE	18,073,706
RESERVE FUND	150,000

SCHOOL DEPARTMENT

SOUTHBOROUGH SCHOOLS	
REGULAR DAY PROGRAMS	
ADMINISTRATION	
School Committee	19,960
Superintendent's Office	128,002
Administrative Support	104,392

INSTRUCTION	
Supervision	29,600
Principals	472,164
Teaching	4,487,146
Professional Development	63,800
Textbooks	64,753
Instructional Hardware & Software	183,441
Library Services	178,585
Audio/Visual Services	13,060
Guidance Services	169,246
OTHER STUDENT SERVICES	
Personnel Services	500
Health Services	119,102
Transportation	203,377
Food Services	0
Student Body Activities	20,767
OPERATION & MAINTENANCE OF BUILDING	
Operation of Buildings	787,797
Maintenance of Buildings	122,625
Extraordinary Maintenance	0
Networking & Telecommunications	29,207
FIXED CHARGES	
Early Retirement Liability	0
Rentals & Leases	16,839
TUITION, OTHER PUBLIC SCHOOL	
Vocational Education	0
REGULAR DAY PROGRAMS	7,214,363
SPECIAL EDUCATION PROGRAMS – CHAPTER 766	
INSTRUCTION	
Director	74,612
Teaching	917,415
Professional Development	3,500
Instructional Hardware & Software	2,100
Psychological Services	127,151
OTHER STUDENT SERVICES	
Health Services	7,500
Transportation	138,200
OPERATION & MAINTENANCE OF BUILDINGS	
Operation of Buildings	1,000
MAINTENANCE OF EQUIP SPED	4,500
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS	
Tuition, Out	443,000
Transportation, Out	0
PROGRAMS, MEMBERS OF COLLABRATIVE	
Assabet Collaborative Assessment	179,500
Tuition Out	0
Transportation Out	0
SPECIAL EDUCATION – CHAPTER 766	1,898,478
SUMMARY	
REGULAR DAY PROGRAMS	7,214,363
SPECIAL EDUCATION (Year 2 of 3)	55,000
SPECIAL ED. – CHAPTER 766	1,898,478
GRAND TOTAL OPERATING BUDGET	9,167,841
	*-178,907
	8,988,934

MOTION MADE: To reduce the Southborough Schools K-8 Budget by $178,907 to a new total of $8,988,934.

VOTED UNANIMOUSLY: To reduce the Southborough Schools K-8 Budget by $178,907 to a new total of $8,988,934.

ALGONQUIN REGIONAL HIGH SCHOOL

ADMINISTRATION	
School Committee	48,898
Superintendent's Office	129,452
Administrative Support	102,867
INSTRUCTION	
Supervision	59,230
Principals	502,852
Teaching	4,293,634
Professional Development	57,600
Textbooks	68,664
Instructional Hardware and Software	95,774
Library Services	146,096
Audio/Visual Services	6,250
Guidance Services	361,790
OTHER STUDENT SERVICES	
Health Services	63,665
Transportation	607,428
Food Services	0
Athletic/ Student Body Activities	481,592
OPERATION & MAINTENANCE OF BUILDINGS	
Operation of Buildings	559,212
Maintenance of Buildings	121,280
Extraordinary Maintenance	0
Networking & Telecommunications	51,000
FIXED CHARGES	
Early Retirement Liability	102,663
Insurance	891,676
Rentals & Leases	56,500
TUITION, OTHER PUBLIC SCHOOLS	
Vocational Education	0
School Choice	43,000
REGULAR DAY PROGRAMS	8,851,123
SPECIAL EDUCATION PROGRAMS – 766	
INSTRUCTION	
Director	65,251
Teaching	509,750
Professional Development	2,600
Instructional Hardware & Software	5,600
Psychological Service	55,582
OTHER STUDENT SERVICES	
Health Services	7,000
Transportation	29,500
OPERATION & MAINTENANCE OF BUILDINGS	
New Equipment	5,000
Equipment Maintenance	2,100
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS	
Tuition, Out	150,000
Transportation, Out	0
PROGRAMS, MEMBER OF COLLABRATIVE	
Assabet Collaborative Assessment	6,500
Tuition, Out	90,000
Transportation, Out	0
SPECIAL EDUCATION – CHAPTER 766	928,883
SUMMARY	
REGULAR DAY PROGRAMS	8,851,123
SPECIAL EDUCATION – CHAPTER 766	928,883
GRAND TOTAL OPERATING BUDGET	9,780,006

NORTHBOROUGH – SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2001 BUDGET & ASSESSMENTS – DEPT OF ED RECOMMENDED METHOD
PRELIMINARY

			68.40% Northboro	31.60% Southboro
Step 1 Proposed Operating Budget (FY 2001)		9,780,006.00		
Less Transportation	607,428.00			
SPED-Trans	29,500.00	636,928.00		
Less Fixed Charge		0		
Net School Spending		9,143,078.00		
Less revenues		0		
Subtotal		9,143,078.00		
Less Chapter 70 Aid Preliminary		1,627,294.00		
Less State Ward Reimbursement		0		
Net Budget		7,515,784.00		
Step 2 Minimum Local Contribution required by Ed Reform				
Step 3 Difference between Min Contrib. & Net Budget balance			7,515,784.00	
Step 4 Apportion Step 3 amount by agreement			5,140,796.26	
2,374,987.74				
Step 5 Transportation Budget	636,928.00			
Less Transportation Aid (Preliminary figures)		401,972.00	234,956.00	
160,709.90	74,246.10			
Step 6 Other Operational Costs	0			
Less Revenues	0			
Step 7 Capital Budget (existing debt service), apportioned		297,492.00	204,968.00	92,524.00
Step 8 Total assessments, Min. Local Contrib. plus apportionment's		8,048,232.00	5,506,474.16	
2,541,757.84				
Step 9 Excess & Deficiency Offset		75,000.00	51,300.00	23,700.00
FY 2001 ASSESSMENTS		7,973,232.00	5,455,174.16	2,518,057.84
				*-129,762.84
				2,388,295.00

MOTION MADE: To reduce the Algonquin Regional School Budget by $129,762.84 to a new total of $2,388,295.00.

VOTED UNANIMOUSLY: To reduce the Algonquin Regional School Budget by $129,762.84 to a new total of $2,388,295.00.

Assessment Comparison:			
FY 2000 Assessments	6,910,819.00	4,672,514.00	2,238,305.00
Dollar Increase	1,062,413.00	782,660.16	279,752.84
Percent Increase	15.37%	16.75%	12.50%

ASSABET VALLEY REG. VOC. SCHOOL	
SCHOOL COMMITTEE	84,782
SUPERINTENDENT & BUSINESS OFFICE	366,914
INSTRUCTION SUPERVISION	284,114
PRINCIPAL OFFICE	123,518
INSTRUCTION & SUPPLIES	5,486,210
TEXTBOOKS	56,250
LIBRARY SERVICES	99,758
MULTI-MEDIA	47,616
GUIDANCE SERVICES	341,189
ATTENDANCE	22,547
HEALTH SERVICES	54,021
TRANSPORTATION CONTRACTS	797,502
TRANSPORTATION SPORTS - FIELD TRIPS	33,851
ATHLETICS PROGRAM	229,891
STUDENT BODY ACTIVITIES	68,319
OPERATION OF PLANT	1,110,489
MAINTENANCE OF PLANT	286,050
HEALTH-LIFE-MEDICARE INSURANCE	622,250
OTHER INSURANCES	176,395
LEASES OF EQUIPMENT	25,000
ACQUISITION OF FIXED ASSETS	152,000
VOCATIONAL DAY OPERATING BUDGET	10,468,665
RIGHT TO KNOW - ASBESTOS AUDIT	10,000
SINGLE AUDIT REQUIREMENT	10,000
RIGHT TO KNOW - AUDIT BUDGET	20,000
CAPITAL PROJECT ROOF (P&I)	0
SPECIAL NEEDS	659,951
TOTAL BUDGET	11,148,616
LESS ANTICIPATED AID & TRANSFERS	(4,804,149)
MASS. GENERAL LAW 23B, SECTION 9 & 9	75,000
TOTAL ASSESSMENT TO COMMUNITIES	6,419,467
SOUTHBORO ASSESSMENT	152,459

MOTION MADE: That the Town raise a sum of money not to exceed the sum of $21,373,638 as may be necessary, for the Town's use, and make appropriations of the same.

Transfer from the Cemetery Trust Fund $15,000

Transfer from Free Cash $784.222

Transfer from Overlay Reserve $60,000

That the balance of $20,514,416 be raised and appropriated.

MOTION: (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 8: To see if the Town will vote to transfer to Surplus Revenue Account (Excess and Deficiency) a sum of money, or do or act anything in relation thereto.

MOTION MADE: That the Town transfer to Surplus Revenue Account (Excess and Deficiency) the following sums:

Article	Purpose	Amount
ATM 1999, ARTICLE34	Flagpole	$25,000
ATM 1999, ARTICLE32	Fayville Village Hall Sign	205
Grand Total		$25,205

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 9: To see if the Town will vote to raise and appropriate, or transfer from any of its available funds and appropriate, the sum of $1,800 to defray expenses of the Memorial Day exercises. Observance exercises are to be under the auspices of the Bagley-Fay Post No. 161 American Legions, and Choate Post No. 3276, Veterans of Foreign Wars, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $1,800 to defray expenses of the Memorial Day exercises. Observance exercises are to be under the auspices of the Bagley-Fay Post No. 161 American Legions, and Choate Post No. 3276, Veterans of Foreign Wars.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 10: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $443,856 for the fiscal year beginning July 1, 2000 and ending June 30, 2001 to pay a portion of the expense of the Worcester County Retirement System, of which the Town is a member, and as required by the Worcester County Commissioners, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $443,856 for the fiscal year beginning July 1, 2000 and ending June 30, 2001 to pay a portion of the expense of the Worcester County Retirement System, of which the Town is a member, and as required by the Worcester County Commissioners.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 11: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money to fund ongoing maintenance of the Town House, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $12,000 to fund ongoing maintenance of the Town House.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 12: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of a sum of money to fund ongoing maintenance of the Fayville Village Hall, or do or act anything in relation thereto.

MOTION MADE: To postpone indefinitely.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 13: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money to fund monitoring of the Parkerville Road Landfill, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $4,000 to fund monitoring of the Parkerville Road Landfill.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 14: To see if the Town will vote to raise and appropriate, or transfer from available funds and appropriate, a sum of money for hiring a special legal counsel, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate the sum of $25,000 for hiring a special legal counsel.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 15: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $5,000 for the purpose of funding Marlborough Addictions Referral Center, Inc., a nonprofit drop-in center, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate the sum of $3,000 for the purpose of funding Marlborough Addictions Referral Center, Inc., a nonprofit drop-in center.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 16: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate the sum of $250,000 for the maintenance of Town roads, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate the sum of $250,000 for the maintenance of Town roads.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 17: To see if the Town will vote to transfer from available funds and appropriate a sum of money in anticipation of reimbursement from the Commonwealth for Chapter 90 highway improvements, or do or act anything in relation thereto.
MOTION MADE: That the Town transfer from available funds and appropriate the sum of $278,377 in anticipation of reimbursement from the Commonwealth for Chapter 90 highway improvements.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 18: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate a sum of money for the purpose of purchasing Public Works Equipment, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate the sum of $170,000 for the purpose of purchasing Public Works Equipment.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 19: To see if the Town will vote to raise and appropriate, transfer from available funds and appropriate or borrow and appropriate, a sum of money for the purpose of making improvements to the water distribution system, or do or act anything in relation thereto.
MOTION MADE: That the Town transfer $400,000 from water surplus and borrow and appropriate $500,000 for a total of $900,000 for the purpose of making improvements to the water distribution system. 2/3 vote required.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 20: To see if the Town will vote to raise and appropriate, transfer from available funds and appropriate or borrow and appropriate, a sum of money for the purpose of acquiring property, engineering, development and relevant costs associated with providing additional cemetery space, or do or act anything in relation thereto.
MOTION MADE: That the Town borrow and appropriate $600,000 for the purpose of engineering, development and relevant costs associated with providing additional cemetery space; provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election. 2/3 vote required.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 21: To see if the Town will vote to amend the Code of the Town of Southborough to authorize the Board of Selectmen to establish water emergencies as may be necessary to conserve the supply of water and to insure the safe and efficient operation of the water system. During such emergencies outside use of water drawn from the town's water system shall be prohibited for such purposes as irrigation of lawns, gardens, shrubs and trees, washing of vehicles, recreational use and other use as the Board of Selectmen may deem appropriate. Fines for violation of the water emergency use prohibitions shall be $50 for the first offense and $100 for subsequent offenses, or do or act anything in relation thereto.
MOTION MADE: That the Town amend the Code of the Town of Southborough by inserting a new Chapter 162 entitled "Water Emergencies" to read as follows:

> Chapter 162 – Water Emergencies
>
> 162-1 Procedure for Establishing Water Emergencies
>
> The Board of Selectmen shall be authorized to establish water emergencies as may be necessary to conserve the supply of water and to insure the safe and efficient operation of the water system. During such emergencies outside use of water drawn from the town's water system shall be prohibited for such purposes as irrigation of lawns, gardens, shrubs and trees, washing of vehicles, recreational use and other use as the Board of Selectmen may deem appropriate.
>
> 162-2 Penalties
>
> Fines for violation of the water emergency use prohibitions shall be $50 for the first offense and $100 for subsequent offenses.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 22: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of making Transfer Station improvements including, but not limited to, toilet and washing facilities as required by The Division of Occupational Safety, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate $70,000 for the purpose of making Transfer Station improvements including, but not limited to, toilet and washing facilities as required by The Division of Occupational Safety.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 23: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, the sum of $50,000.00 to acquire two new four-door full-size sedan police cruisers and authorize the Selectmen to sell, turn in or otherwise dispose of two police cruisers, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate the sum of $50,000.00 to acquire two new four-door full-size sedan police cruisers and authorize the Selectmen to sell, turn in or otherwise dispose of two police cruisers.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 24: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, a sum of money to repair the Police Department septic system, repave and expand the existing parking lot, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate $60,000 to repair the Police Department septic system, repave and expand the existing parking lot.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 25: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of hiring consulting engineers by various Town departments, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate $40,000 for the purpose of hiring consulting engineers by various Town departments.
AMENDMENT TO MOTION: That the Town amend Article 25 by substituting $1.00 for the figure $40,000 as listed in the Motion.
AMENDMENT TO MOTION: DEFEATED BY MAJORITY VOTE.
MOTION: VOTED BY MAJORITY VOTE (See Article 47).

ARTICLE 26: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $17,500 to be used for expenses incurred from a private audit of the Town's financial officers to be carried out by a private firm which meets the standards of the Commonwealth of Massachusetts, Bureau of Accounts, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate the sum of $17,500 to be used for expenses incurred from a private audit of the Town's financial officers to be carried out by a private firm which meets the standards of the Commonwealth of Massachusetts, Bureau of Accounts.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 27: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $6,156 for the purpose of aiding in the funding of the MetroWest Planning Office, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate the sum of $6,156 for the purpose of aiding in the funding of the MetroWest Planning Office
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 28: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $2,500, or any other sum, to be expended under the direction of the Heritage Day Committee for the purpose of paying the necessary costs associated with the Heritage Day celebration and the Heritage Day parade, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate the sum of $2,500 to be expended under the direction of the Heritage Day Committee for the purpose of paying the necessary costs associated with the Heritage Day celebration and the Heritage Day parade.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 29: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, a sum of money for the purpose of maintenance of equipment, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $6,000 for the purpose of maintenance of equipment.

MOTION: (as stated above) VOTED UNANIMOUSLY.

ARTICLE 30: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $3,000 for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty.

MOTION: (as stated above) VOTED UNANIMOUSLY.

ARTICLE 31: To see if the Town will vote to renew a revolving fund established under Chapter 44, Section 53 E 1/2, "An Act Authorizing Cities and Towns to Establish Certain Revolving Funds", a revolving fund for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund, or do or act anything in relation thereto.

MOTION MADE: That the Town renew a revolving fund established under Chapter 44, Section 53 E 1/2, "An Act Authorizing Cities and Towns to Establish Certain Revolving Funds", a revolving fund for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund.

MOTION: (as stated above) VOTED UNANIMOUSLY.

ARTICLE 32: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, a sum of money to purchase a postage processing system, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $14,000 to purchase a postage processing system.

MOTION: (as stated above) VOTED UNANIMOUSLY.

ARTICLE 33: TO see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, a sum of money to hire staff and/or a firm with expertise in capital planning and building maintenance for schools and town buildings, or do or act anything in relation thereto.

MOTION MADE: To postpone indefinitely.

MOTION: (as stated above) VOTED UNANIMOUSLY.

ARTICLE 34: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money to hire an architectural firm to undertake a feasibility study that would examine the options that would include restoration, expansion or replacement of Fayville Village Hall and the abutting house at 40 Central Street for Human Services Departments, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate the sum of $25,000 to hire an architectural firm to undertake a feasibility study that would examine the options that would include restoration, expansion or replacement of Fayville Village Hall and the abutting house at 40 Central Street for Human Services Departments. This study would commence six months from the date of this Town Meeting or when the status of the Woodward School is known, whichever is sooner.
AMENDMENT TO MOTION: That the section stating "This study would commence six months from the date of this Town Meeting or when the status of Woodward School is known, whichever is sooner." be removed.
AMENEDMENT TO MOTION: VOTED UNANIMOUSLY.
MOTION AS AMENDED PASSED UNANIMOUSLY.

ARTICLE 35: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $10,000 for the purpose of conducting a Household Hazardous Waste Day, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $10,000 for the purpose of conducting a Household Hazardous Waste Day.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 36: To see if the Town will vote to raise and appropriate, or transfer from available funds and appropriate, a sum of money to be deposited in the Stabilization Fund to be held and administered in accordance with the provisions of Massachusetts General Laws, Chapter 40, Section 5b, or do or act anything in relation thereto.

MOTION MADE: To postpone indefinitely.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 37: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money to fund a Workers' Compensation Claim Reserve Fund as per Massachusetts General Laws, Chapter 40, Section 13C, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $30,000 to fund a Workers' Compensation Claim Reserve Fund as per Massachusetts General Laws, Chapter 40, Section 13C.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 38: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $207,202 for the FY 2001 capital building maintenance projects at the Southborough Public Schools, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $207,202 for the FY 2001 capital building maintenance projects at the Southborough Public Schools.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 39: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $9,680 for the FY 2001 moving expenses for Finn at Woodward School to Finn School, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $9,680 for the FY 2001 moving expenses for Finn at Woodward School to Finn School.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 40: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $86,000 for the FY 2001 installment of the multiyear technology update in all Southborough Public Schools, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $71,000 for the FY 2001 installment of the multiyear technology update in all Southborough Public Schools.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 41: To see if the town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, a sum of money for a district-wide student management system for the Southborough Public Schools, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $16,457 for a district-wide student management system for the Southborough Public Schools.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 42: To see if the Town will vote to authorize borrowing by the Northborough-Southborough Regional School Committee, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), as amended, or for the Town of Southborough to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, their share of the sum of $136,000 for the purpose of equipment purchases of a capital nature for the FY 2001 installment of the multiyear technology update at Algonquin Regional High School, or do or act anything in relation thereto.

MOTION MADE: That the Town of Southborough raise and appropriate $42,976, its share of the sum of $136,000 for the purpose of equipment purchases of a capital nature for the FY 2001 installment of the multiyear technology update at Algonquin Regional High School.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 43: To see if the Town will vote to authorize borrowing by the Northborough-Southborough Regional School Committee, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), as amended, or for the Town of Southborough to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, their share of the sum of $21,000 for the purpose of furniture equipment purchases of a capital nature at Algonquin Regional High School, or do or act anything in relation thereto.

MOTION MADE: That the Town of Southborough raise and appropriate $6,636, its share of the sum of $21,000 for the purpose of furniture equipment purchases of a capital nature at Algonquin Regional High School.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 44: To see if the Town will vote to authorize borrowing by the Northborough-Southborough Regional School Committee, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), as amended, or for the Town of Southborough to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, their share of the sum of $28,275 for the purpose of purchasing science materials (compound microscopes and stereoscopes) of a capital nature at Algonquin Regional High School, or do or act anything in relation thereto.

MOTION MADE: That the Town of Southborough raise and appropriate $8,935, its share of the sum of $28,275 for the purpose of purchasing science materials (compound microscopes and stereoscopes) of a capital nature at Algonquin Regional High School.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 45: To see if the Town will vote to authorize borrowing by the Northborough-Southborough Regional School Committee, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), as amended, or for the Town of Southborough to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, their share of the sum of $10,057 for the purchase of district-wide student management system at Algonquin Regional High School, or do or act anything in relation thereto.

MOTION MADE: That the Town of Southborough raise and appropriate $3,178, its share of the sum of $10,057 for the purchase of district-wide student management system at Algonquin Regional High School.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 46: To see if the Town will vote to authorize the City of Marlboro to compensate its representative to the Assabet Valley Regional Vocational School District Committee effective January 1, 2000 at the same level of compensation paid to the City of Marlboro School Committee Members, or act in any relative thereto.

MOTION MADE: That the Town authorize the City of Marlboro to compensate its representative to the Assabet Valley Regional Vocational School District Committee effective January 1, 2000 at the same level of compensation paid to the City of Marlboro School Committee Members.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 47: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $25,000 for the purpose of purchasing a Thermal Imaging Camera for the Fire Department, or do or act anything in relation thereto.

MOTION MADE: That the Town raise and appropriate the sum of $12,500 for the purpose of purchasing a Thermal Imaging Camera for the Fire Department.

ALTERNATE MOTION MADE to postpone this article until Article 25 is reconsidered.

ALTERNATE MOTION: VOTED UNANIMOUSLY.

MOTION MADE: To reconsider Article 25. 2/3 vote required

MOTION: VOTED UNANIMOUSLY.

MOTION MADE: That Article 25 be reduced by $12,500 to a total of $27,500.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

MOTION MADE: That the Town raise and appropriate the sum of $25,000 for the purpose of purchasing a Thermal Imaging Camera for the Fire Department.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 48: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $29,500 for the purpose of purchasing one new, four wheel drive pickup truck and equipping the same for the Fire Department, or do or act anything in relation thereto.
MOTION MADE: That the Town raise and appropriate the sum of $29,500 for the purpose of purchasing one new, four wheel drive pick up truck and equipping the same for the Fire Department.

AMENDMENT TO MOTION: To transfer from the Stabilization Fund the amount of $29,500.
AMENDMENT TO MOTION: DEFEATED BY MAJORITY VOTE.

ALTERNATE AMENDMENT TO MOTION: To add the words "Contingent on a Proposition 2 ½ over ride"
ALTERNATE AMENDMENT TO MOTION: VOTED UNANIMOUSLY.

MOTION WITH ALTERNATE AMENDMENT PASSED BY MAJORITY VOTE.

ARTICLE 49: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money to purchase and maintain a van to be used for transportation by the Council on Aging, Office of Youth and Family Services, Recreation Department and other departments as needed and available, or do or act anything in relation thereto.
MOTION MADE TO POSTPONE INDEFINITELY.
MOTION: TO POSTPONE INDEFINITELY VOTED UNANIMOUSLY.

ARTICLE 50: To see if the Town will vote to amend Chapter 152 Streets and Sidewalks, Article I. Miscellaneous Provisions, Section 152-4 "Excavation permit required; safety requirements", of the Code of the Town of Southborough, by changing the section of the first sentence from "a written permit from the Board of Selectmen" to read "a written permit **approved by** the Board of Selectmen **or its designee**", or do or act anything in relation thereto.
MOTION MADE: That the Town amend Chapter 152 Streets and Sidewalks, Article I. Miscellaneous Provisions, Section 152-4 "Excavation permit required; safety requirements", of the Code of the Town of Southborough, by changing the section of the first sentence from "a written permit from the Board of Selectmen" to read "a written permit **approved by** the Board of Selectmen **or its designee**".
MOTION: (as stated above) **VOTED UNANIMOUSLY.**
Approved by the Attorney General on July 19, 2000.

ARTICLE 51: To see if the Town will vote to amend Chapter 16 Finance, Article III Miscellaneous Provisions, of the Code of the Town of Southborough, by adding Section 16-5 Disposition of Funds Received as Donations. The section shall read as follows:

> Section 16-5 Disposition of Funds Received as Donations
>
> All voluntary donations received by the Town of Southborough shall be placed on the agenda of the next Special or Annual Town Meeting by the Board of Selectmen to be accepted and expended for a specific purchase by a majority vote unless the funds are allocated to the General Fund.

, or do or act anything in relation thereto.

MOTION MADE: To postpone indefinitely.

MOTION: TO POSTPONE INDEFINITELY VOTED UNANIMOUSLY.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

MOTION MADE: To Adjourn at 11:00P.M the Annual Town Meeting to Tuesday, April 11, 2000 at 7:30PM

MOTION: VOTED UNANIMOUSLY.

ANNUAL TOWN MEETING
MONDAY, APRIL 10, 2000
ADJOURNED SESSION
TUESDAY, APRIL 11, 2000

At the Adjourned session of the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Tuesday, April 11 2000 at 7:30 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters= quorum, 166 Voters were present).

Checkers:	Janet ME Mattioli	Eleanor MacLauchlan
	Lois Denman	Jennifer Juliano

The Meeting was called to order at 8:36PM by the Town Moderator, John H. Wilson.

The following Tellers were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:
Charles Aspesi
Thomas Burns
Marcia Hallwood
Arthur Lamy
Maryann Lamy
Karen Gadbois
Timothy McHugh
Stephen D. Morris

Tom Bacon, Land Owner, 165A Southville Road, Southborough/Westborough
There being no objections from the floor, it was voted to allow the above non-voters to remain.

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view the Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Adjourned Town Meeting Session of the Annual Town Meeting by the Constable.

ARTICLE 52: To see if the Town will authorize the transfer of the amounts paid by developers to the Planning Department and/or the Town in lieu of providing subsidized units within their development, by vote of the Board of Selectmen to transfer any or all of said monies to the Southborough Housing Authority upon the Southborough Housing Authority identifying a suitable property for purchase by the Southborough Housing Authority to include within the Southborough Housing Authority's existing programs, or do or act anything in relation thereto.
MOTION MADE: That the Town authorize the transfer of the amounts paid by developers to the Planning Department and/or the Town in lieu of providing subsidized units within their development, by vote of the Board of Selectmen to transfer any or all of said monies to the Southborough Housing Authority upon the Southborough Housing Authority identifying a suitable property for purchase by the Southborough Housing Authority to include within the Southborough Housing Authority's existing programs.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

MOTION MADE: To move for Re-consideration of Article 48. 2/3 Vote Required.
MOTION FOR RE-CONSIDERATION OF ARTICLE 48 VOTED UNANIMOUSLY.
ARTICLE 48 MOTION: That the Town raise and appropriate the sum of $29,500 for the purpose of purchasing one new, four wheel drive pick up truck and equipping the same for the Fire Department.
MOTION TO POSTPONE INDEFINITELY
MOTION TO POSTON INDEFINITELY VOTED UNANIMOUSLY.

ARTICLE 53: To see if the Town will vote to amend the Code of the Town of Southborough, Zoning Article I Section 174-2 Definitions subsection B. by adding the following definition:

> Open Space – Open Space shall mean that portion of the lot area that is not covered by any structure and not used for drives, parking, storage or display. Wetlands, ponds and man-made retention areas shall not be considered open space for the purpose of calculating the requirements of this bylaw. Subsurface sewage disposal systems shall not be allowed within designated open space except that areas designated for reserve or expansion of an individual or shared system shall be allowed only if in the opinion of the Board of Health no other options are available or if in the opinion of the Planning Board it would be beneficial to the overall layout of the development. All open space shall be stabilized with natural vegetative cover. Open space shall be permanently protected by recorded deed.

, or do or act anything in relation thereto.

MOTION MADE: That the Town amend the Code of the Town of Southborough, Zoning Article I Section 174-2 Definitions subsection B. by adding the following definition:
Open Space – Open Space shall mean that portion of the lot area that is not covered by any structure and not used for drives, parking, storage or display. Wetlands, ponds and man-made retention areas shall not be considered open space for the purpose of calculating the requirements of this bylaw.

Subsurface sewage disposal systems shall not be allowed within designated open space except that areas designated for reserve or expansion of an individual or shared system shall be allowed only if in the opinion of the Board of Health no other options are available or if in the opinion of the Planning Board it would be beneficial to the overall layout of the development. All open space shall be stabilized with natural vegetative cover. Open space shall be permanently protected by recorded deed. 2/3 vote required.

MOTION: (as stated above) **VOTED UNANIMOUSLY.** **Approved by the Attorney General on July 19, 2000.**

ARTICLE 54: To see if the Town will vote to amend the Zoning Code of the Town of Southborough by changing the following described areas from Residence B District to Highway Business District as follows:

> Land located on the north side of Turnpike Road and east of Pleasant Street, identified as Map 39, Lots 16 & 17 of the Southborough Assessors' records, being 1.33 acres, more or less, and currently owned by John L. Mitchell.

, or do or act anything in relation thereto.

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough by changing the following described areas from Residence B District to Highway Business District as follows:

> Land located on the north side of Turnpike Road and east of Pleasant Street, identified as Map 39, Lots 16 & 17 of the Southborough Assessors' records, being 1.33 acres, more or less, and currently owned by John L. Mitchell. 2/3 vote required.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

Approved by the Attorney General on July 19, 2000.

ARTICLE 55: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Article V, Nonconforming Uses and Structures, Section 174-19. Extensions or Alterations to read as follows:

174-19. Extensions or alterations

A. Nonconforming structures or uses shall not be extended or altered, except to make them conforming, unless the Board of Appeals authorizes such extension or alteration by special permit upon making findings as provided in § 174-9E.

B. Single Family Residential Structures: In the following circumstances, alteration, reconstruction, extension or structural change to a single family residential structure shall not be considered an increase in the nonconforming nature of the structure and shall be permitted as of right:

   1) Alteration to a structure which complies with all current setbacks, lot coverage and building height requirements but is located on a lot with insufficient area; where the alteration will also comply with all of said current requirements;

   2) Alteration to a structure which complies with all current setbacks, lot coverage and building height requirements but is located on a lot with insufficient frontage, where the alteration will also comply with all of said current requirements;

   3) Alteration to a structure which encroaches upon one or more required setbacks, where the alteration will comply with all current setbacks, open, lot coverage and building height requirements. The provisions of this clause 3 shall apply regardless of whether the lot complies with current area and frontage requirements.

, or do or act anything in relation thereto.

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Article V, Nonconforming Uses and Structures, Section 174-19. Extensions or Alterations to read as follows:

174-19. Extensions or alterations

A. Nonconforming structures or uses shall not be extended or altered, except to make them conforming, unless the Board of Appeals authorizes such extension or alteration by special permit upon making findings as provided in § 174-9E.

B. Single Family Residential Structures: In the following circumstances, alteration, reconstruction, extension or structural change to a single family residential structure shall not be considered an increase in the nonconforming nature of the structure and shall be permitted as of right:

   1) Alteration to a structure which complies with all current setbacks, lot coverage and building height requirements but is located on a lot with insufficient area; where the alteration will also comply with all of said current requirements;

2) Alteration to a structure which complies with all current setbacks, lot coverage and building height requirements but is located on a lot with insufficient frontage, where the alteration will also comply with all of said current requirements;

3) Alteration to a structure which encroaches upon one or more required setbacks, where the alteration will comply with all current setbacks, open, lot coverage and building height requirements. The provisions of this clause 3 shall apply regardless of whether the lot complies with current area and frontage requirements. 2/3 vote required.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

Approved by the Attorney General on July 19, 2000.

ARTICLE 56: To see if the Town will vote to delete the Zoning Code of the Town of Southborough, Article I, Miscellaneous Provisions, Section 174-2. Definitions and insert the following definition to read:

> **STRUCTURE** – A man-made combination of materials assembled in a fixed location to give support or shelter or for any other purpose, including buildings, frameworks, platforms, sheds and the like, provided that signs, utility poles and small decorative or accessory structures not over three (3) feet in height or six (6) feet in any dimension, such as sculptures, mailboxes, birdbaths, benches and the like shall not be subject to the yard requirements of this chapter if located at least five (5) feet from side or rear lot lines. Fences that are not over six (6) feet in height shall not be considered structures.

, or do or act anything in relation thereto.

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Article I, Miscellaneous Provisions, Section 174-2 Definitions, Subsection B. by changing the following definition to read:

> **STRUCTURE** – A man-made combination of materials assembled in a fixed location to give support or shelter or for any other purpose, including buildings, frameworks, platforms, sheds and the like, provided that signs, utility poles and small decorative or accessory structures not over three (3) feet in height or six (6) feet in any dimension, such as sculptures, mailboxes, birdbaths, benches and the like shall not be subject to the yard requirements of this chapter if located at least five (5) feet from side or rear lot lines. Fences that are not over six (6) feet in height shall not be considered structures.

2/3 vote required.

MOTION: (as stated above) **VOTED UNANIMOUSLY.** **Approved by the Attorney General on July 19, 2000.**

ARTICLE 57: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Article III, Section 174-11., "Signs" by changing the entire section to read as follows:

§ 174-11. Signs

A. PURPOSE. The Town of Southborough regulates and restricts the use of signs and other identification devices within the Town for the purpose of:

1. promoting public safety and convenience of the streets and roads, sidewalks and other pedestrian spaces, public property and private property within public view
2. preserving for the present and future inhabitants the natural, architectural and historical assets and other qualities which distinguish the Town as a highly desirable community,
3. protecting business viability, economic opportunity, property values, educational values, aesthetic integrity, village character, creativity and community appearance by exercising prudent control, and
4. encouraging compatibility and harmony with surrounding buildings, land and land uses.

B. DEFINITIONS. As used in this Section (**§174-11**), the following words and terms shall have and include the following meanings:

AGRICULTURAL SIGN – A sign which has wording that may be changed periodically to advertise products raised or grown principally on the premises.

AWNING SIGN – Any and every sign displayed on an awning or canopy. An Awning or Canopy is any device, fixed or retractable, of any material, which extends over or otherwise covers a sidewalk, courtyard, walkway, eating area, driveway, or other area or space whether that area or space is intended for pedestrians, vehicles or other purposes.

BANNER – Any and every sign whatever the nature of the material or manner of composition, message or design, frequently displayed on a pole or staff which can be free standing or attached to a building or structure, and temporary or removable in nature. Official flags of governmental jurisdictions properly displayed shall not be considered as banners or otherwise considered as signs for the purposes of this Zoning Bylaw.

BUSINESS ESTABLISHMENT – Each separate place of business whether or not consisting of one or more buildings.

FAÇADE OF THE BUSINESS ESTABLISHMENT – That portion of the building wall facing a street or containing a public entrance, which corresponds to the height and width of the interior space rented or owned by the tenant of the business establishment.

HEIGHT - The maximum vertical distance measured from the finished grade to the highest point of the sign or its supporting structure, whichever is higher.

INTERNALLY ILLUMINATED SIGN - Each and every sign which utilizes translucent panels, canvas or other fabric, letters, devices including gas filled luminous tubes or other similar components to create an image by allowing light to pass through.

LEGAL NON-CONFORMING SIGN – Any non-conforming sign legally erected prior to the adoption of this section, or any amendment thereof.

MOVING SIGNS – Any and every sign any part of which moves, is designed to move, or to be moved, by any means.

ROOF SIGN – Any and every sign located above, or projecting above, the apex of the roof or the top of a parapet wall of any building, or which is painted or otherwise attached or affixed to a roof.

SIGN – Any letter, word, symbol, drawing, picture, design, device, article or object that advertises, calls attention to or indicates any premises, persons, products, businesses or activities, or that conveys or is intended to convey any message whatever the nature of the material and manner of composition or construction. (Historical date plaques and markers approved by the Historical Commission and flags and insignias of governmental jurisdictions shall not be considered signs except when displayed for the purpose of commercial promotion.)

STANDING SIGN – Any and every freestanding sign erected on or affixed to the land and includes any and every sign that is not attached to a building.

TEMPORARY SIGNS – Any and every sign which by its design and/or use is temporary in nature, frequently composed of paper, posterboard and/or cardboard or other material attached so as to be visible through windows and glass doors or otherwise displayed on a property, typically containing messages relative to sale, lease, rental or construction of property, garage or yard sales and similar occasional uses, special sales, bazaars, dinners or other events.

TRAFFIC SIGNS – Any sign limited solely to directing traffic within or setting out restrictions on the use of parking areas.

TRAILER OR VEHICLE SIGNS – For the purposes of this Sign Bylaw a vehicle, motor vehicle or self-propelled vehicle shall be considered and regulated as a sign when or under such circumstances any such vehicle is not engaged in the usual business or work of the owner or lessee but is used for advertising purposes.

WALL SIGN – Any and every sign attached to a building and not considered to be a roof sign or window sign.

WINDOW SIGN – Any and every sign consisting of individual letters or graphics painted or otherwise similarly affixed directly to, or hanging behind, the glass surface of a window or door and designed to be visible from the outside of any building.

C. GENERAL PROVISIONS

1. PERMIT NOT REQUIRED. The following types of signs do not require a permit from the Inspector of Buildings:

   a. Signs not exceeding four (4) square feet in area and bearing only property numbers, or names of residents of premises.

   b. Flags and insignia of any government, except when displayed in connection with commercial promotion.

   c. Legal notices, identification information or direction signs erected by governmental bodies.

d. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.

e. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

f. In accordance with M.G.L. Chap. 94, section 295c. standard gasoline fuel pump signs on service station fuel pumps bearing thereon in usual size and form the name, type and price of the gasoline.
g. Open/Closed signs not exceeding 2' x 3'; 1 per business.
h. Open flags, not exceeding 3' x 5' and not containing any promotional logos or advertising; 1 per business.
i. Temporary signs.

2. BASIC REQUIREMENTS, ALL DISTRICTS
a. The only signs allowed in the Town of Southborough are signs that advertise, call attention to or indicate the person occupying the premises on which the sign is erected or maintained or the business transacted thereon or that advertise the property itself or any part thereof as for sale or rent and which contain no other matter.

b. Billboards and similar signs are specifically prohibited.
c. Flashing, moving, changing message and animated signs are prohibited
d. No sign may be illuminated between 10:00 PM and 6:00 AM except signs identifying police or fire stations or businesses open to serve the public on site.
e. "No hunting, fishing, etc.," signs exceeding one (1) square foot are prohibited.
f. Permits. No sign shall be erected or altered on the exterior of any building or on any land unless and until application for the erection or alteration of such sign has been filed with the Building Inspector, with such information and drawings as he may require, and permit for the erection of the sign has been issued by him.
g. No sign may depict or represent any sexual conduct or state of sexual excitement as defined in G.L. c.272, Section 31, nor shall any such representations or depictions be placed upon or within the windows or walls of the premises so as to be visible to the public from the exterior of the premises.
h. Banners, pennants, streamers, ribbons, spinners and other moving, fluttering, revolving or changing devices and strings of lights shall not be used as signs or parts thereof, provided that lights may be used as part of a religious celebration not connected to commercial promotion, and further provided that banners or similar devices may be used for temporary political signs.

3. ILLUMINATION OF SIGNS. Illumination shall be by white, steady, stationary light shielded and directed solely (or by silhouette) at the sign. The foregoing is applicable to signs exterior to a building and to permanent interior signs designed to be visible through a door or window. No sign may utilize translucent panels, canvas or other fabric, letters, devices or other similar components to create an image by allowing light to pass through, except for businesses fronting on Route 9. The light, whether internal or illuminating the sign from the outside, shall not be placed, directed or arranged so as to throw a beam of light, glare or reflection on any street or highway, walk, or nearby properties of others in such a manner as to create a traffic hazard or nuisance. Illuminated signs are prohibited in residential and conservation districts.

4. MAXIMUM NUMBER OF SIGNS ALLOWED. Unless otherwise provided herein there shall be not more than two of the four following types of signs: wall, window, standing, or awning for each business establishment with the following exceptions:

a. If a business establishment has more than one public entrance at street level there may be additional signs at each such entrance, other than the wall to which the principal sign is attached. Such signs shall not exceed 15 square feet or 10% of the façade of the business establishment whichever is less. If a business establishment consists of more than one building, a secondary sign, not exceeding 15 square feet or 10% of the façade of the business establishment, whichever is less, may be affixed to a wall of each such building, not including the building to which the principal sign is attached.

b. In addition to the foregoing sign or signs, one directory of the business establishments occupying a building may be attached to the exterior wall of the building at each public entrance to the building. Such directory shall not exceed an area determined on the basis on one square foot for each establishment occupying the building or six square feet in total area, whichever is less.

5. MAXIMUM AREA OF SIGNS ALLOWED. For purposes of determining the maximum size limitations, any intermediary removable surface to which a sign is attached shall be deemed part of the sign; and any sign composed of separate letters, numbers or symbols cut into or attached to a wall or painted on or otherwise attached to an awning, canopy or window shall be deemed to the extreme limits of the sign. A two-sided sign, with messages on opposite sides (back-to-

back), will be deemed to be one (1) sign; a sign with faces at an angle to each other shall be deemed to consist of several signs, one (1) for each direction faced.

The sum of the areas of wall, window and awning signs of a business in the aggregate shall not exceed the lesser of the following two amounts:

a. 10% of the façade of the business establishment;
b. 50 square feet in Districts fronting on streets other than Route 9, or 75 square feet in Districts fronting on Route 9.

6. NON-CONFORMING SIGNS. Any legal non-conforming sign may continue to be maintained but shall not be enlarged, reworded, redesigned or altered in any way unless it is brought into conformity with these requirements. Any such sign which has been destroyed or damaged to such an extent that the cost of restoration would exceed 35 percent of the replacement value of the sign at the time of the destruction or damage, shall not be repaired or rebuilt or altered unless in conformity with this section.

The exemption herein granted shall terminate with respect to any sign which:
a. shall have been abandoned for six months or more; or
b. advertises or calls attention to any products, businesses or activities which have not been carried on or sold for six months or more; or
c. shall not have been repaired or properly maintained within 60 days after notice to that effect has been given by the Inspector of Buildings.

7. CONSTRUCTION AND MAINTENANCE. No sign shall be painted or posted directly on the exterior surface of any wall or roof. All signs must be painted, posted or otherwise securely attached to a substantial intermediary removable surface which shall be securely attached to the building. The foregoing, however, shall not prevent installation of a sign consisting of individual letters or devices securely attached to the building. The material and construction of any sign and intermediary surface and the manner of attaching the sign to the intermediary surface and the intermediary surface to the wall of the building shall be in accordance with applicable provisions of the State Building Code. All signs, together with their structural elements, shall be kept in good repair and in proper state or preservation to the reasonable satisfaction of the Inspector of Buildings. The Inspector of Buildings may order the removal of any sign that is not maintained in accordance with the provisions of this Zoning Bylaw.

8. ROOF SIGNS. No sign shall be erected or maintained on the roof of any building or structure in any district.

9. STANDING SIGNS. No standing sign shall be erected if, in the opinion of the Building Inspector, it creates a safety hazard to vehicular or pedestrian traffic.

10. WALL SIGNS. A wall sign shall be parallel to or perpendicular to a wall of the building and shall not project beyond the face of any other wall of the building, or above the top of the wall to which attached. A wall sign shall not project more than one foot, in the case of a sign parallel to the wall, or four feet in the case of a sign perpendicular to the wall, from the face of the wall to which attached, provided that in no case shall a perpendicular sign project into, on or over a public sidewalk, street or way.

11. TEMPORARY SIGNS. Temporary signs shall be removed promptly after the sale, event or reason for the sign message has been concluded. Temporary signs shall not be maintained for more than a 30-day period, except as may be otherwise specifically provided below, as determined by the Inspector of Buildings, unless proper sign permits have been obtained. A temporary sign erected for the purpose of the sale, lease, rental or construction of real estate is not subject to the 30 day display limitation but shall be removed promptly after such sale, lease, rental or construction has been effected or completed. Temporary signs pertaining to construction shall not be erected prior to the commencement of work.

12. TRAFFIC SIGNS. The regulations contained herein shall not apply to traffic signs not exceeding four square feet in area.

13. GASOLINE FILLING STATIONS AND GARAGES. Gasoline filling stations and garages may, if they elect to do so, divide the principal sign area, to which they are entitled into separate signs attached to and parallel to the wall to which the principal sign may be attached and indicating the separate operations or departments of the business, provided, however, that the total size of the separate signs shall not exceed the maximum size permitted under this section for a single exterior sign on such wall. Signs displayed on structural canopies over gasoline pumps or gasoline pump islands shall be regulated as wall signs.

14. AGRICULTURAL SIGNS. One (1) sign not to exceed thirty-two (32) square feet shall be allowed and the wording may be changed periodically to advertise products raised or grown principally on the premises.

15. AWNING SIGNS. The following provisions shall apply to all awning signs:

16.

- a. Awning signs may only be located at the first floor level and must be painted on or attached flat against the surface of the awning or canopy and shall not extend beyond the valance or any other part of the awning or canopy nor be attached to or displayed on the sides or underside;
- b. The area of an awning sign shall not exceed 25% of the surface area of the awning or canopy eligible for placement of signs;
- c. Awning signs shall not be back lit or internally illuminated; and
- d. Awning signs shall not be used in combination with wall signs except as provided below.

An awning sign which:

1. consists of letters only, not more than eight inches (8") in height and includes no other form of graphic, logo or symbol; and
2. is located only on the valance of the awning or canopy and no other sign, graphic, logo or symbol is displayed on the awning or canopy; and
3. does not occupy more than 50% of the horizontal length of the valance of the awning or canopy,

shall not be subject to the limitations of C. General Provisions, Paragraph 4 - MAXIMUM NUMBER OF SIGNS ALLOWED; Paragraph 5 - MAXIMUM AREA OF SIGNS ALLOWED.

D. SIGN REGULATIONS. (See notes at end of Section D)

Sign Type	Maximum Height	Maximum Area	Maximum Number
RESIDENTIAL[1], CONSERVATION DISTRICTS, RESEARCH, SCIENTIFIC AND PROFESSIONAL DISTRICT			
Standing or Wall	6 feet	4 sq. ft.	1 per lot
Temporary	6 feet	6 sq. ft.	1 per lot
BUSINESS VILLAGE DISTRICT			
Standing	10 feet	25 sq. ft.	1 per building
Wall	15 feet	25 sq. ft.	1 per business
Awning	--------	25% of awning or canopy[2]	1 per business
Temporary	10 feet	15 sq. ft.	1 per building
HIGHWAY BUSINESS, INDUSTRIAL, INDUSTRIAL PARK DISTRICTS FRONTING STREETS OTHER THAN ROUTE 9			
Standing	15 feet	75 sq. ft.	1 per lot
Wall	20 feet	50 sq. ft.	1 per business
Window (permanent)	--------	10 sq. ft.[3]	1 per business
Awning		25% of awning or canopy[2]	1 per business
Temporary Window		25% of window[4]	
Temporary	10 feet	25 sq. ft.	1 per lot
HIGHWAY BUSINESS, INDUSTRIAL, INDUSTRIAL PARK DISTRICTS FRONTING ROUTE 9			
Standing	25 feet	100 sq. ft.	1 per lot
Wall	20 feet	75 sq. ft.[2]	1 per business
Window (permanent)		10 sq. ft.[3]	1 per business
Awning		25% of awning or canopy[2]	1 per business
Temporary Window		25% of window[4]	
Temporary	10 feet	25 sq. ft.	1 per lot
MUNICIPAL, STATE, FEDERAL OR PRIVATE EDUCATIONAL INSTITUTION, RELIGIOUS INSTITUTION WITHIN A RESIDENTIAL DISTRICT			
Standing	6 feet	10 sq. ft.	1 per lot
Wall	15 feet	10 sq. ft.	1 per building
Awning Sign – not allowed			
Temporary	6 feet	12 sq. ft.	1 per lot

Notes:

1 - Residential development within other districts in Town must comply with the sign regulations for residential district.
2 - Or 10% of the total area of the façade of the business establishment, whichever is less.
3 - Or 10% of the total area of exterior area of exterior windows of the business establishment excluding doors, whichever is less.
4 – Paper or posterboard only. Such signs shall not be placed on any window with a permanent window sign.

E. SPECIAL PERMITS FOR SIGNS. The Board of Appeals shall consider requests for special permits in accordance with **§ 174-9, § 174-11** and **§174-25** of this Zoning bylaw. The Board of Appeals may grant a special permit for a sign not meeting limitations of sign height, maximum number of signs allowed, illuminations of signs, maximum area of signs allowed, and minimum setback, provided however, that the sign is otherwise in compliance with the provisions of this Section. In no case, however, shall approval be granted for:

1. A wall sign which exceeds in height the top of the wall;

2. A sign in a Residential District except that a Special Permit may be granted for a sign at a legal nonconforming use.

3. A standing sign in Districts other than Residential, Conservation, Research, Scientific & Professional Districts which exceeds in height:

   - 15' in the Business Village Districts
   - 20' in Districts other than Business Village Districts fronting on streets other than Route 9
   - 25' in Districts other than Business Village Districts fronting on Route 9

   or exceeds in area:

   - 35 square feet in the Business Village Districts
   - 75 square feet in Districts other than Business Village Districts fronting on streets other than Route 9
   - 200 square feet in Districts other than Business Village Districts fronting on Route 9.

4. A wall sign in Districts other than Residential, Conservation, Research, Scientific & Professional Districts which exceeds in area:

   - 35 square feet in Business Village Districts
   - 75 square feet in Districts other than Business Village Districts fronting on streets other than Route 9
   - 100 square feet in Districts other than Village Business Districts fronting on Route 9.

The Board of Appeals will not act on any special permit or variance application without first receiving a written report from the Planning Board. A favorable report of the Planning Board shall indicate that:

1. Sign scale is determined to be in reasonable relation to development scale, viewer distance and travel speed, and sign sizes on nearby structures.

2. Sign size, shape, and placement serves to define or enhance architectural elements of the building such as columns, sill lines, cornices, and roof edges, and do not unreasonably interrupt, obscure, or hide them.

3. Sign design is in harmony with other signage on the same or adjacent structures, and provides reasonable continuity in mounting location and height, proportions and materials.

4. Sign materials, colors, lettering style, illumination and form are reasonably compatible with building design, neighborhood context and use.

5. Sign size, location, design and illumination are not judged to present a safety hazard to vehicular or pedestrian traffic. An unfavorable report of the Planning Board shall indicate which of the above criteria were not met and shall state what modifications to the sign or signs could be made to render a favorable report.

2/3 vote required

ARTICLE 57 MOTION MADE: That the Town will vote to amend the Zoning Code of the Town of Southborough, Article III, Section 174-11., "Signs" by changing the entire section to read as the words in the Article.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

Approved by the Attorney General on July 19, 2000.

ARTICLE 58: To see if the Town will vote to accept a transfer of land from the Town of Westborough in the amount of approximately 9.5 acres identified in Westborough Assessors' records as a portion of Map 24, Parcels 14, 14A, 14B and 14C. The property is landlocked and does not have frontage or access on an existing way in Westborough and is the subject of a proposed subdivision accessible only from the Town of Southborough, or do or act anything in relation thereto.

MOTION MADE: That the Town accept a transfer of land from the Town of Westborough in the amount of 6.92 acres identified in Westborough Assessors' records as Map 24, Parcels 13, 14A, 14B and 14C and a portion of Parcel 14 as shown on the plan entitled "proposed town line change" prepared by Connorstone Consulting Civil Engineers and dated February 25, 2000.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 59: To see if the Town will vote to accept as a public way Oland Lane described on a plan entitled "Roadway Acceptance Plan, Oland Lane" dated November 10, 1999 by Connorstone Consulting Civil Engineers and Land Surveyors, of Northborough, MA, or do or act anything in relation thereto.

MOTION MADE: That the Town accept as a public way Oland Lane described on a plan entitled "Roadway Acceptance Plan, Oland Lane" dated November 10, 1999 by Connorstone Consulting Civil Engineers and Land Surveyors, of Northborough, MA.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 60: To see if the Town will vote to accept as a public way Whistler Lane described on a plan entitled "Plan of Acceptance, Whistler Lane" dated February 4, 1999 by Highland Land Surveyors, Inc. of Marlborough, MA, or do or act anything in relation thereto.

MOTION MADE: That the Town accept as a public way Whistler Lane described on a plan entitled "Plan of Acceptance, Whistler Lane" dated February 4, 1999 by Highland Land Surveyors, Inc. of Marlborough, MA
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 61: To see if the town will vote to accept as a public way Hidden Meadow Lane described on a plan entitled "Acceptance Plan of Hidden Meadow Lane" prepared by Allen Paige RPE, RPL, dated February 22, 1999, or do or act anything in relation thereto.

MOTION MADE: That the Town accept as a public way Hidden Meadow Lane described on a plan entitled "Acceptance Plan of Hidden Meadow Lane" prepared by Allen Paige RPE, RPL, dated February 22, 1999.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 62: To see if the Town will vote to accept as a public way Stockwell Lane described on a plan entitled "Road Acceptance Plan of Land" dated February 18, 1999 by Eastern Land Survey Associates, Inc. of Peabody, MA, or do or act anything in relation thereto.
MOTION MADE: That the Town accept as a public way Stockwell Lane described on a plan entitled "Road Acceptance Plan of Land" dated February 18, 1999 by Eastern Land Survey Associates, Inc. of Peabody, MA.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 63: To see if the Town will vote to accept a gift of land described as Open Space on the subdivision plans entitled "The Highlands" prepared by MetroWest Engineering, Inc. dated February 6, 1995 and revised through April 28, 1995, and further described in the Southborough Assessors records as Map 8, Parcel 103. The land, currently owned by Atwood Road Realty Trust, totaling approximately 11.46 acres, shall be placed under the jurisdiction of the Conservation Commission, or do or act anything in relation thereto.
MOTION MADE: That the Town accept a gift of land described as Open Space on the subdivision plans entitled "The Highlands" prepared by MetroWest Engineering, Inc. dated February 6, 1995 and revised through April 28, 1995, and further described in the Southborough Assessors records as Map 8, Parcel 103. The land, currently owned by Atwood Road Realty Trust, totaling approximately 11.46 acres, shall be placed under the jurisdiction of the Conservation Commission.
MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 64: To see if the Town will vote to accept as a public way Fitzgerald Lane described on a plan entitled "Road Acceptance Plan of Land" dated February 18, 1999 by Eastern Land Survey Associates, Inc. of Peabody, MA, or do or act anything in relation thereto.

MOTION MADE: That the Town accept as a public way Fitzgerald Lane described on a plan entitled "Road Acceptance Plan of Land" dated February 18, 1999 by Eastern Land Survey Associates, Inc. of Peabody, MA.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 65: To see if the Town will vote to accept as a public way a portion of Ledge Hill Road (portion of) described on a plan entitled "Acceptance Plan of a Portion of Ledge Hill Road in Southborough, Mass." Prepared by Highland Land Surveyors, Inc. of Marlborough, MA and dated September 1994, or do or act anything in relation thereto.

MOTION MADE: That the Town accept as a public way a portion of Ledge Hill Road (portion of) described on a plan entitled "Acceptance Plan of a Portion of Ledge Hill Road in Southborough, Mass." Prepared by Highland Land Surveyors, Inc. of Marlborough, MA and dated September 1994.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 66: To see if the Town will vote to accept as a public way Candlewood Lane described on a plan entitled "Roadway Acceptance Plan Candlewood Lane in Southborough, MA" by Aaberg Associates, Inc. dated Dec. 7, 1999, or do or act anything in relation thereto.

MOTION MADE: To Postpone Indefinitely.

MOTION PASSED TO POSTPONE INDEFINITELY.

ARTICLE 67: To see if the Town will vote to accept as a public way Beechwood Lane described on a plan entitled "Roadway Acceptance Plan Beechwood Lane in Southborough, MA" by Aaberg Associates, Inc. dated Dec. 7, 1999, or do or act anything in relation thereto.

MOTION MADE: To Postpone Indefinitely.

MOTION PASSED TO POSTPONE INDEFINITELY.

ARTICLE 68: To see if the Town will vote to accept as a public way Wildwood Drive described on a plan entitled "Roadway Acceptance Plan Wildwood Drive in Southborough, MA" by Aaberg Associates, Inc. dated Dec. 7, 1999, or do or act anything in relation thereto.

MOTION MADE: That the Town accept as a public way Wildwood Drive described on a plan entitled "Roadway Acceptance Plan Wildwood Drive in Southborough, MA" by Aaberg Associates, Inc. dated Dec. 7, 1999.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 69: To see if the Town will vote to accept as a public way Southwood Drive (station 0+00 to 19+44.52) described on a plan entitled "Roadway Acceptance Plan Southwood Drive Station 0+00 to 19+44.52 in Southborough, MA" by Aaberg Associates, Inc. dated Dec. 7, 1999, or do or act anything in relation thereto.

MOTION MADE: That the Town accept as a public way Southwood Drive (station 0+00 to 19+44.52) described on a plan entitled "Roadway Acceptance Plan Southwood Drive Station 0+00 to 19+44.52 in Southborough, MA" by Aaberg Associates, Inc. dated Dec. 7, 1999.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 70: To see if the Town will vote to accept as a public way Southwood Drive (station 19+44.52 to 27+23.01) described on a plan entitled "Roadway Acceptance Plan Southwood Drive Station 19+44.52 to 27+23.01 in Southborough, MA" by Aaberg Associates, Inc. dated Dec. 17, 1999, or do or act anything in relation thereto.
MOTION MADE: To postpone indefinitely.
MOTION PASSED TO POSTPONE INDEFINITELY.

ARTICLE 71: To see if the Town will vote to grant to 153 Cordaville Road LLC, its successors or assigns (for the benefit of the parcel of land identified in the Southborough Assessors Record as Map 28, Lot 1, which contains 43,560 s.f. of land) a nonexclusive perpetual easement over and through town-owned land for installation of utilities and services and to be used in common with the Town of Southborough and others for all purposes for which ways are used in the Town of Southborough, said land being described as follows:

> A parcel of land located on the westerly side of Cordaville Road as shown on a plan on file with the Town Clerk entitled "Easement Plan of Land (Town Garage) in Southborough, Mass" dated 2/7/00.

and that the Board of Selectmen be and are hereby authorized to execute and deliver a deed therefor, or do or act anything in relation thereto.

MOTION MADE: That the Town grant to 153 Cordaville Road LLC, its successors or assigns (for the benefit of the parcel of land identified in the Southborough Assessors Record as Map 28, Lot 1, which contains 43,560 s.f. of land) a nonexclusive perpetual easement over and through town-owned land for installation of utilities and services and to be used in common with the Town of Southborough and others for all purposes for which ways are used in the Town of Southborough, said land being described as follows:

> A parcel of land located on the westerly side of Cordaville Road as shown on a plan on file with the Town Clerk entitled "Easement Plan of Land (Town Garage) in Southborough, Mass" dated 2/7/00.

and that the Board of Selectmen be and are hereby authorized to execute and deliver a deed therefor.

MOTION: (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 72: To see if the Town will authorize the Board of Selectmen to appoint a Town Counsel Advisory Committee to review the legal advice and opinions of Town Counsel and to advise the Selectmen regarding the same, and to perform all acts necessary to carry out the purpose of this vote. The Town Counsel Advisory Committee shall consist of three members. Each member shall serve for a term of three years, except that upon initial establishment of said Committee, one member shall serve for one year, one member shall serve for two years and one member shall serve for three years, as appointed by the Board of Selectmen. The chairperson of the Town Counsel Advisory Committee shall be selected by the Board of Selectmen. Each member shall reside in the Town of Southborough and must be one of the following occupations: law professor, retired judge or practicing attorney.
The Town Counsel Advisory Committee shall be deemed to be a public body for the purposes of the Open Meeting Law and shall meet on an as-needed basis and shall report to the Board of Selectmen upon request of the Board of Selectmen, and at the Annual Town Meeting or Special Town Meeting, or do or act anything in relation thereto.
MOTION MADE: That the Town authorize the Board of Selectmen to appoint a Town Counsel Advisory Committee to review the legal advice and opinions of Town Counsel and to advise the Selectmen regarding the same, and to perform all acts necessary to carry out the purpose of this vote. The Town Counsel Advisory Committee shall consist of three members. Each member shall serve for a term of three years, except that upon initial establishment of said Committee, one member shall serve for one year, one member shall serve for two years and one member shall serve for three years, as appointed by the Board of Selectmen. The chairperson of the Town Counsel Advisory Committee shall be selected by the Board of Selectmen. Each member shall reside in the Town of Southborough and must be one of the following occupations: law professor, retired judge or practicing attorney. The Town Counsel Advisory Committee shall be deemed to be a public body for the purposes of the Open Meeting Law and shall meet on an as-needed basis and shall report to the Board of Selectmen upon request of the Board of Selectmen, and at the Annual Town Meeting or Special Town Meeting.

MOTION: DEFEATED BY MAJORITY VOTE.

ARTICLE 73: To see if the Town will authorize the Board of Assessors to use free cash in the Town treasury, and if so, what sum for the purpose of reducing the amount to be raised and appropriated and assessed as taxes in the fiscal year beginning July 1, 2000 and ending June 30, 2001, or do or act anything in relation thereto.

MOTION MADE: To Postpone Indefinitely.

MOTION PASSED TO POSTPONE INDEFINITELY.

At 9:35 PM on Tuesday, April 11, 2000 it was **MOVED** and **UNANIMOUSLY VOTED** to **DISSOLVE** the Annual Town Meeting of April 10, 2000 and the Adjourned Session of Tuesday,
April 11, 2000.

A true copy:
Attest:___________________________
PAUL J. BERRY, TOWN CLERK

SPECIAL TOWN MEETING
MONDAY, SEPTEMBER 11, 2000

At the Special Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, September 11, 2000 at 7:00 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters quorum, 322 Voters were present).

Checkers:	Janet ME Mattioli	Lidia Kiley
	Lois Denman	Bonnie Phaneuf

The Meeting was called to order at 7:35PM by the Town Moderator, John H. Wilson.

The following Tellers were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:

Christopher Spellman
Joseph E. Hubley
Frank A. Fazio
Karen Gadbois

Moderator Wilson had requests from the following non-voters to attend the Special Town Meeting:

Mr. Antonio Fernandes, Assistant Superintendent of Schools for Northborough-Southborough
John Mauro, Fire Department

There being no objections from the floor, it was voted to allow the above non-voters to remain.

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

It was voted Unanimously to waive the reading of the Special Town Meeting Warrant.

ARTICLE 1: To see if the Town will vote to raise and appropriate, or take from available funds and appropriate, the sum of $5,000 for the purpose of compensating qualified senior citizens for services rendered to the Town pursuant to an agreement for services to be formulated and approved by the Board of Selectmen per Massachusetts Acts of 1999, Chapter 127, Section 59, or do or act anything in relation thereto. (Proposed by the Southborough Council on Aging)

MOTION MADE: That the Town transfer from overlay reserve and appropriate, the sum of $5,000 for the purpose of compensating qualified senior citizens for services rendered to the Town pursuant to an agreement for services to be formulated and approved by the Board of Selectmen per Massachusetts Acts of 1999, Chapter 127, Section 59.

MOTION AS STATED ABOVE VOTED UNANIMOUSLY

ARTICLE 2: To see if the Town will vote to raise and appropriate, or take from available funds and appropriate, the sum of $12,631 to pay an unpaid Fiscal Year 2000 bill of Bowditch & Dewey, Attorneys, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $12,631 to pay an unpaid Fiscal Year 2000 bill of Bowditch & Dewey, Attorney's.

This requires a 9/10 VOTE.

MOTION VOTED: 175 in FAVOR, 67 OPPOSED. MOTION FAILS.

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of purchasing one new, four wheel drive pickup truck and equipping the same for the Fire Department, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town raise and appropriate $20,000 for the purpose of purchasing one used four wheel drive pickup truck and equipping the same for the Fire Department.

MOTION AS STATED ABOVE ON ARTICLE 3 IS VOTED UNANIMOUS

MOTION TO RECONSIDER ARTICLE 2 NEED 2/3 VOTE TO RECONSIDER

MOTION MADE: To move the question
2/3 VOTE Needed
VOTED UNANIMOUSLY
THE QUESTION IS MOVED

MOTION MADE: To move the question to the floor
MOTION PASSED BY A MAJORITY VOTE
MOTION TO RECONSIDER ARTICLE 2 PASSED WITH A 2/3 VOTE OF 216 YES TO 34 NO
Article 2 is RECONSIDERED

MOTION MADE: That the Town raise and appropriate the sum of $12,631 to pay an unpaid Fiscal Year 2000 bill of Bowditch & Dewey, Attorney's.

NEED 9/10 VOTE
MOTION PASSED: 37 YES 3 NO

ARTCLE 4: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money to add an amount to the appropriation approved in Article 7, ATM 4/10/00 for additional funds for the Fire Department operating budget, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town raise and appropriate $85,778 to add to the appropriation approved in Article 7, ATM 4/10/00 for additional funds for the Fire Department operating budget.

MOTION PASSED BY A MAJORITY VOTE ON ARTICLE 4

ARTICLE 5: To see if the Town will vote to amend the Code of the Town of Southborough, Article III, Section 174-8.2; Residence A District; subsection D.(5) to read: Maximum floor area ratio: fifteen-hundredths (.15), or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: To indefinitely postpone Article 5
MOTION VOTED: TO INDEFINITELY POSTPONE ARTICLE 5 UNANIMOUS

ARTICLE 6: To see if the Town will vote to amend the Code of the Town of Southborough, Article III, Section 174-8.3; Residence B District; subsection D. (5) to read: Maximum floor area ratio: eighteen-hundredths (.18), and subsection E. (5) to read: Maximum floor area ratio: twenty-hundredths (.20), or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: To indefinitely postpone this article.
MOTION VOTED: TO INDEFINITELY POSTPONE ARTICLE 6 UNANIMOUS

ARTICLE 7: To see if the Town will vote to accept as a public way Candlewood Lane described on a plan entitled "Roadway Acceptance Plan Candlewood Lane in Southborough, MA" by Aaberg Associates, Inc. dated Dec. 7, 1999, or do or act anything in relation thereto. (Proposed by Board of Selectmen)

MOTION MADE: That the Town accept as a public way Candlewood Lane described on a plan entitled "Roadway Acceptance Plan Candlewood Lane in Southborough MA" by Aaberg Associates, Inc. dated Dec. 7, 1999.

MOTION VOTED: UNANIMOUS

ARTICLE 8: To see if the Town will vote to accept as a public way Beechwood Lane described on a plan entitled "Roadway Acceptance Plan Beechwood Lane in Southborough, MA" by Aaberg Associates, Inc. dated Dec. 7, 1999, or do or act anything in relation thereto (Proposed by Board of Selectmen)

MOTION MADE: To indefinitely postpone Article 8
MOTION VOTED: INDEFINITELY POSTPONE ARTICLE 8. UNANIMOUS

ARTICLE 9: To see if the Town will vote to accept as a public way Southwood Drive (station 19+44.52 to 27+23.01) described on a plan entitled "Roadway Acceptance Plan Southwood Drive Station 19+44.52 to 27+23.01 in Southborough, MA by Aaberg Associates, Inc. dated Dec. 17, 1999, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town accept as a public way Southwood Drive (station 19+44.52 to 27+23.01) described on a plan entitled "Roadway Acceptance Plan Southwood Drive Station 19+44.52 to 27+23.01 in Southborough, MA by Aaberg Associates, Inc. dated Dec. 17, 1999.

MOTION VOTED: UNANIMOUS

ARTICLE 10: To see if the Town will vote to raise and appropriate, transfer from available funds and appropriate, or borrow and appropriate, a sum of money for the additional costs associated with the continued planning, diagnostic testing and evaluation on the Neary, Trottier and Woodward school sites needed by the Temporary School Building Planning Committee in order to present proposals to the Town relative to both a three school option and/or a four school option for grades Kindergarten through 8, or do or act anything in relation thereto. (Proposed by the Southborough School Committee and Temporary School Building Planning Committee)

MOTION MADE: That the Town raise and appropriate $18,500 for the additional costs associated with the continued planning, diagnostic testing and evaluation on the Neary, and Trottier school sites needed by the Temporary School Building Planning Committee in order to present proposals to the Town relative to both a three school option and/or a four school option for grades Kindergarten through 8.

MOTION VOTED: Unanimous

ARTICLE 11: To see if the Town will vote to accept as a gift, a parcel of land north of the Massachusetts Turnpike and off of Route 85 described as Parcel II in a deed from the Fisher Family Trust to Alfred R. Watkins and recorded in the Worcester Registry of Deeds Book 22854, Page 172, and further described in the Southborough Assessors records as Map 14, Parcel 12. The land is currently owned in fee by Alfred R. Watkins and contains approximately 9.67 acres and is offered for recreational purposes, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town accept as a gift, a parcel of land north of the Massachusetts Turnpike and off of Route 85 described as Parcel II in a deed from the Fisher Family Trust to Alfred R. Watkins and recorded in the Worcester Registry of Deeds Book 22854m Page 172, and further described in the Southborough Assessors records as Map 14, Parcel 12. The land is currently owned in fee by Alfred R. Watkins and contains approximately 9.67 acres and is offered for recreational purposes.

MOTION VOTED: Unanimous

ARTICLE 12: To see if the Town will vote to amend the Northborough-Southborough Regional School Agreement as follows:

1) Add to definition of Capital costs in Section IV(b) "or replacement thereof," to read accordingly:

> "(b) Capital costs shall include all expenditures relating to capital outlay such as payment of principal and interest on bonds or other obligations issued by the District, and any other expenses associated with the acquisition of real estate, the construction and improvement of buildings, grading, purchase of equipment, and other activities incident to placing in operation the original school plant and any subsequent additions and improvements thereto, or replacement thereof."

2) Add to definition of Operating costs in Section IV(c) "all operating costs borne by either the Town of Northborough or the Town of Southborough attributed to services or maintenance provided to the high school," to read accordingly:

> "(c) Operating costs shall include all other costs such as salaries, wages, supplies, texts, repair and maintenance expenditures, interest on notes issued in anticipation of revenue, all operating costs borne by either the town of Northborough or the Town of Southborough attributed to services or maintenance provided to the high school (effective Fiscal Year 2002), and other costs incurred in the day-to-day operation of the school."

3) Delete Section IV, Clause (d), in its entirety together with all previous amendments and substitute the following:

> "Payment for capital costs incurred on or after July 1, 2000 shall be apportioned each year among member towns on the basis of the average of their respective enrollments in the Regional District School on October 1 of the preceding year for year one; of the preceding two (2) years for year two; of the preceding three (3) years for year three; and the preceding four (4) years thereafter."

or do or act anything in relation thereto. (Proposed by the Northborough-Southborough Regional School Committee)

MOTION MADE: That the Town amend the Northborough-Southborough Regional School Agreement as follows:

1) Add to definition of Capital costs in Section IV(b) "or replacement thereof," to read accordingly:

> "(b) Capital costs shall include all expenditures relating to capital outlay such as payment of principal and interest on bonds or other obligations issued by the District, and any other expenses associated with the acquisition of real estate, the construction and improvement of buildings, grading, purchase of equipment, and other activities incident to placing in operation the original school plant and any subsequent additions and improvements thereto, or replacement thereof."

2) Add to definition of Operating costs in Section IV (c) "all operating costs borne by either the Town of Northborough or the Town of Southborough attributed to services of maintenance provided to the high school," to read accordingly:

> "(c) Operating costs shall include all other costs such as salaries, wages, supplies, texts, repair and maintenance expenditures, interest on notes issued in anticipation of revenue, all operating costs borne by either the town of Northborough or the Town of Southborough attributed to services or maintenance provided to the high school (effective Fiscal Year 2002), and other costs incurred in the day-to-day operation of the school."

3) Delete Section IV, Clause (d) , in its entirety together with all previous amendments and substitute the following:

> "Payment for capital costs incurred on or after July 1, 2000 shall be apportioned each year among member towns on the basis of the average of their respective enrollments in the Regional District School on October 1 of the preceding year for year one; of the preceding two (2) years for year two; of the preceding three (3) years for year three; and the preceding four (4) years thereafter."

MOTION PASSED BY A MAJORITY VOTE

At 9:34 PM on Monday, September 11, 2000 it was MOVED and UNANIMOUSLY VOTED to DISSOLVE the Special Town Meeting of September 11, 2000.

A True copy:
Attest:______________________________
PAUL J. BERRY, TOWN CLERK

SPECIAL TOWN MEETING
NOVEMBER 13, 2000

At the Special Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, November 13, 2000 at 7:00 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum, 457 Voters were present).

Checkers:	Lidia Kiley	Lois Denman
	Bonnie Phaneuf	Janet ME Mattioli

The Meeting was called to order at 7:38 PM by the Town Moderator, John H. Wilson.

The following Tellers were appointed by Moderator Wilson and sworn-in by Town Clerk Paul J. Berry:

Thomas McAuliffe
Charles Aspesi
James B. Denman
Donna L. McDaniel

Moderator Wilson had requests from the following non-voters to attend the Special Town Meeting:

Tara M. Ward, Assistant Town Clerk, Southborough, MA
Vanessa Hale, Administrative Assistant for the Board of Selectmen in Southborough, MA
Robert C. Melican, Superintendent of Schools
Bradford Jackson, Assistant Superintendent of Schools
Robert B. Vogel, Architect
Scott W. Helman, Reporter for the Boston Globe

There being no objections from the floor, it was VOTED to allow the above non-voters to remain.

The boundaries of the gymnasium were outlined by the Moderator to include all of the floor area.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

It was VOTED Unanimously to waive the reading of the Special Town Meeting Warrant.

ARTICLE 1: That the Town hear reports of the various Town Officers and Committees.

Thomas McCarthy – Municipal Building Planning Committee
Mary Jane Mastrangelo – School Committee
David Davidson – K – 8 Planning Committee
MOTION MADE: To accept Committee Reports – **PASSED UNANIMOUSLY**

ARTICLE 2: That the sum of $16,783,864 is hereby borrowed and appropriated for constructing, originally equipping and furnishing an addition or additions to the Mary Finn School including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Mary Finn School, including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Margaret Neary School, including the payment of all costs incidental and related thereto, for remodeling, reconstructing or making extraordinary repairs to the present Margaret Neary School, including the payment of all costs incidental and related thereto, for constructing , originally equipping and furnishing an addition or additions to the P. Brent Trottier School including the payment of all costs incidental and related thereto, and for remodeling, reconstructing or making extraordinary repairs to the present P. Brent Trottier School, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Sections 7(3) and (3A) and Chapter 70B, of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that no funds shall be borrowed or expended hereunder, unless and until the Town shall have voted to exclude the amounts necessary to repay any bonds or notes issued hereunder from the limitations imposed by Chapter 59, Section 21C of the General Laws, also known as Proposition 2 ½.

MOTION MADE: That the Town discuss Article 2, Article 3, and Article 4 together.
MOTION VOTED UNANIMOUSLY

ARTICLE 2: MOTION MADE as stated in the article

MOTION MADE TO MOVE QUESTION - PASSED UNANIMOUSLY

2/3 VOTE NEEDED
YES 191 NO 194
MOTION DEFEATED

ARTICLE 3: That the sum of $21,211,676 is hereby borrowed and appropriated for constructing, originally equipping and furnishing an addition or additions to the Mary Finn School, including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Mary Finn School including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Margaret A. Neary School including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Margaret A. Neary School, including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the P. Brent Trottier School including the payment of all costs incidental and related thereto, for remodeling, reconstructing or making extraordinary repairs to the present P. Brent Trottier School including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Albert S. Woodward School including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Albert S. Woodward School including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow said sum under and pursuant to Chapter 44, Sections 7(3) and (3A) and Chapter 70B, of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that no funds shall be borrowed or expanded hereunder, unless and until the Town shall have voted to exclude the amounts necessary to repay any bonds or notes issued hereunder from the limitations imposed by Chapter 59, Section 21C of the General Laws, also known as Proposition 2 ½.

ARTICLE 3: MOTION MADE as stated in the article.

MOTION MADE TO MOVE QUESTION – PASSED UNANIMOUSLY

2/3 VOTE NEEDED
YES 157 NO 225
MOTION DEFEATED

ARTICLE 4: That the sum of $16,871,087 is hereby borrowed and appropriated for constructing, originally equipping and furnishing an addition or additions to the Mary Finn School, including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Mary Finn School, including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Margaret A. Neary School, including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Margaret A. Neary School, including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the P. Brent Trottier School including the payment of all costs incidental and related thereto, for remodeling, reconstructing or making extraordinary repairs to the present P. Brent Trottier School, including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Albert S. Woodward School, including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Albert S. Woodward School, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Sections 7(3) and (3A) and Chapter 70B, of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that no funds shall be borrowed or expended hereunder, unless and until the Town shall have voted to exclude the amounts necessary to repay any bonds or notes issued hereunder from the limitations imposed by Chapter 59, Section 21C of the General Laws, also known as Proposition 2 ½.

ARTICLE 4: MOTION MADE as stated in the article.
MOTION MADE TO MOVE QUESTION – PASSED UNANIMOUSLY
2/3 VOTE NEEDED
YES 95 NO 239
MOTION DEFEATED

ARTICLE 5: That the Town accept as a public way Beechwood Lane described on a plan entitled "Roadway Acceptance Plan Beechwood Lane in Southborough, MA" by Aaberg Associates, Inc. dated December 7, 1999.

ARTICLE 5: MOTION MADE as stated above.
VOTED UNANIMOUSLY

MOTION MADE TO RECONSIDER ARTICLE 2
2/3 VOTE NEEDED
MOTION TO RECONSIDER ARTICLE 2 WITHDRAWN

MOTION MADE TO RECONSIDER ARTICLE 4
2/3 VOTE NEEDED
YES 49 NO 260
RECONSIDERATION DEFEATED

MOTION TO RECONSIDER ARTICLE 3
2/3 VOTE NEEDED
PASSED UNANIMOUSLY

ARTICLE 3: That the sum of $21,211,676 is hereby borrowed and appropriated for constructing, originally equipping and furnishing an addition or additions to the Mary Finn School, including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Mary Finn School including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Margaret A. Neary School including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Margaret A. Neary School, including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the P. Brent Trottier School including the payment of all costs incidental and related thereto, for remodeling, reconstructing or making extraordinary repairs to the present P. Brent Trottier School including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Albert S. Woodward School including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Albert S. Woodward School including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow said sum under and pursuant to Chapter 44, Sections 7(3) and (3A) and Chapter 70B, of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that no funds shall be borrowed or expanded hereunder, unless and until the Town shall have voted to exclude the amounts necessary to repay any bonds or notes issued hereunder from the limitations imposed by Chapter 59, Section 21C of the General Laws, also known as Proposition 2 ½.

MOTION MADE as stated in the article
2/3 VOTE NEEDED
YES 279 NO 59
MOTION PASSED

At 11:50 PM on Monday, November 13, 2000 it was MOVED and UNANIMOUSLY VOTED to DISSOLVE the SPECIAL TOWN MEETING OF NOVEMBER 13, 2000.

A true Copy:
Attest: ______________________________
PAUL J. BERRY, TOWN CLERK

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001

At the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 10, 2001 at 7:00 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum, 364 Voters were present).

Checkers:	Janet ME Mattioli	Bonnie Phaneuf
	Lois Denman	Lidia Kiley

The following Tellers were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:

Charles Aspesi
Gerard Burke
Robert Jachowicz
Richard Noble

The Town Moderator, John H. Wilson, called the meeting to order at 7:29 PM.

A moment of silence was held in memory of those persons who have served the Town in the past: Frank R. Aspinwall, Marguerite R. Aspesi, Joseph F. Cruciani, Frank J. Douglas, Norman S. Johnson, Austin E. Kelly, Mary S. Kelly, Roland A. Messier, Julia Murphy, Roderick M. MacNeill, John H. Nolan, Harry A. Prosperi, and Mary Josephine Quinn.

Moderator Wilson had request from the following non-voters to attend the Annual Town Meeting:

Robert Melican, Superintendent Southborough School Department
John Thomas, Beal and Thomas, Inc.
Shirley Lundberg, Northborough-Southborough Regional School Committee
Bradford Jackson, Assistant Superintendent of Schools
Susan A. Lynch, Beals and Thomas
Laurie Sugarman-Whittier, Director of Youth and Family Services
Scott Helman, Boston Globe
Kathryn A. Garcia, Director of Recreation
John D. Mauro, Jr., Fire Chief
Paul C. Pisinski, Board of Health
Daniel M. Keyes, Treasurer/Collector
Charles E. Gobron, Director of Curriculum
Vanessa D. Hale, Assistant Town Administrator
Tara M. Ward, Assistant Town Clerk

There being no objections from the floor, it was voted to allow the above non-voters to remain.

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a Television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Annual Town Meeting by the Constable.

It was voted Unanimously to waive the reading of the Annual Town Meeting Warrant.

ARTICLE 1: To hear reports of the various Town Officers and Committees and to take such action thereon as the Town may vote. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town hear reports of the various Town Officers and Committees.
MOTION (as stated above) VOTED UNANIMOUSLY.

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001

David Davidson, Southborough K-8 Study Planning Committee read his report.
VOTED UNANIMOUSLY: To accept the report of David Davidson, K-8 Study Planning Committee as read.

Frank Fazio, Southborough K-8 School Committee read his report.
VOTED UNANIMOUSLY: To accept the report of Frank Fazio, Southborough K-8 School Committee as read.

ARTICLE 2: To see if the Town will vote to fix for the fiscal year beginning July 1, 2001 and ending June 30, 2002, the annual salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the General Laws, as amended:

Moderator	50.00	Assessors (3)	2,250.00
Town Clerk	25,000.00	School Committees (10)	500.00
Selectmen (3)	3,000.00	Board of Health (3)	450.00

, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town fix for the fiscal year beginning July 1, 2001 and ending June 30, 2002, the annual salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the General Laws, as amended:

Moderator	50.00	Assessors (3)	2,250.00
Town Clerk	25,000.00	School Committees (10)	500.00
Selectmen (3)	3,000.00	Board of Health (3)	450.00

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 3: To see if the Town will vote to accept any sum of money from St. Mark's School, Fay School, Harvard Medical School New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town accept any sum of money from St. Mark's School, Fay School, Harvard Medical School New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 4: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2001 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2001 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.

MOTION (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 5: To hear the report of the Capital Budget Planning Committee, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town hears the report of the Capital Budget Planning Committee.
MOTION (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 6: To see if the Town will vote to delete Personnel Salary Administration Plan, Section 22 "Compensation Schedule" of Chapter 31 of the Code of the Town of Southborough, and insert in its place the following:

ARTICLE 22 SECTION 6 COMPENSATION SCHEDULE

Grade	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11
20	55,029.00	57,382.00	59,737.00	62,187.00	64,735.00	67,392.00	70,087.00	72,890.00	75,806.00	78,838.00	81,992.00
19	51,914.00	54,134.00	56,356.00	58,667.00	61,071.00	63,577.00	66,120.00	68,765.00	71,516.00	74,376.00	77,351.00
18	48,974.00	51,069.00	53,166.00	55,343.00	57,615.00	59,978.00	62,377.00	64,872.00	67,467.00	70,166.00	72,973.00
17	46,203.00	48,180.00	50,155.00	52,211.00	54,352.00	56,584.00	55,847.00	61,201.00	63,649.00	66,195.00	66,843.00
16	43,182.00	45,026.00	46,875.00	48,798.00	50,798.00	52,880.00	54,995.00	57,195.00	59,483.00	61,862.00	64,335.00
15	39,984.00	41,692.00	43,401.00	45,182.00	47,035.00	48,963.00	50,922.00	52,958.00	55,076.00	57,279.00	59,570.00
14	36,680.00	38,252.00	39,817.00	41,452.00	43,152.00	44,919.00	46,716.00	48,584.00	50,527.00	52,548.00	54,650.00
13	33,343.00	34,772.00	36,198.00	37,683.00	39,228.00	40,837.00	42,470.00	44,169.00	45,936.00	47,773.00	49,684.00
12	30,040.00	31,327.00	32,611.00	33,949.00	35,339.00	36,790.00	38,262.00	39,792.00	41,384.00	43,039.00	44,761.00
11	13.87	14.48	15.08	15.71	16.33	17.01	17.69	18.40	19.13	19.90	20.70
10	12.54	13.07	13.61	14.17	14.73	15.34	15.95	16.59	17.26	17.95	18.66
9	11.82	12.34	12.83	13.36	13.88	14.48	15.06	15.66	16.29	16.94	17.62
8	11.26	11.75	12.24	12.72	13.27	13.78	14.33	14.90	15.50	16.12	16.77
7	10.73	11.20	11.64	12.10	12.61	13.11	13.63	14.18	14.75	15.34	15.95
6	10.25	10.67	11.07	11.55	12.03	12.51	13.01	13.53	14.07	14.63	15.22
5	9.71	10.15	10.55	10.98	11.42	11.91	12.39	12.88	13.40	13.93	14.49
4	9.26	9.65	10.05	10.46	10.90	11.33	11.78	12.25	12.74	13.25	13.78
3	8.84	9.19	9.57	9.97	10.37	10.67	11.10	11.54	12.00	12.48	12.98
2	8.34	8.67	9.02	9.38	9.76	10.15	10.55	10.97	11.41	11.87	12.35
1	**5.15**	**5.36**	**5.58**	**5.81**	**6.05**	**6.30**	**6.56**	**6.83**	**7.11**	**7.40**	**7.70**

, or do or act anything in relation thereto. (Proposed by the Personnel Board)

MOTION MADE: That the Town delete Personnel Salary Administration Plan, Section 22 "Compensation Schedule" of Chapter 31 of the Code of the Town of Southborough, and insert in its place new Compensation Schedule, Section 22 as written in warrant.

MOTION (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 7: To see if the Town will vote to raise a sum of money not to exceed the sum of $24,233,143 as may be necessary for the Town's use, and make appropriations of the same, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)
MOTION MADE: That the Town Raise a sum of money not to exceed the sum of $ 23,833,865 as may be necessary, for the Town's use, and make appropriations of the same.
MOTION (as stated above) VOTED UNANIMOUSLY

MOTION MADE: To divide the question
MOTION TO DIVIDE THE QUESTION VOTED UNANIMOUSLY

MOTION MADE: To take an umbrella vote on those budgets that do not have a hold on them. This one vote will have the affect of voting each separately.
MOTION (as stated above) **VOTED UNANIMOUSLY**

MOTION MADE: TO PASS ALL BUDGETS that do not have a hold on them
MOTION (as stated above) **VOTED UNANIMOUSLY**

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001

GENERAL GOVERNMENT

BUDGET NAME	FY 2001 REQUEST
114 MODERATOR	
700 Other Charges	50
MODERATOR TOTAL	50
119 ADVISORY COMMITTEE	
700 Other Charges	135
ADVISORY COMMITTEE TOTAL	135
122 BOARD OF SELECTMEN	
110 Salaries	201,362
100 Total Personal Services	201,362
304 Medical Exams	500
342 Legal Notices	3,000
200 Total Purchase of Services	3,500
710 Travel	1,300
730 Dues	2,696
732 Subscriptions	2,304
733 Conferences/Schooling	5,600
782 Miscellaneous	0
700 Other Charges and Expenses	11,900
BOARD OF SELECTMEN TOTAL	216,762
135 TOWN ACCOUNTANT	
110 Salaries	93,701
100 Total Personal Services	93,701
420 Office Supplies	200
400 Total Supplies	200
700 Other Charges	575
800 Capital Outlay	0
TOWN ACCOUNTANT TOTAL	94,476
141 ASSESSORS	
110 Salaries	114,463
100 Total Personal Services	114,463
304 Medical Exams	0
345 Advertising	0
380 Misc. Contracted Services	22,000
200 Total Purchase of Services	22,000
420 Office Supplies	1,200
581 Maps	3,000
582 Deeds & Plans	1,200
400 Total Supplies	5,400
700 Other Charges	8,600
800 Capital Outlay	1,000
ASSESSORS TOTAL	151,463
145 TREASURER/COLLECTOR	
110 Salaries	162,148
100 Total Personal Services	162,148
253 Computer Services	0
382 Bank Service Charges	14,000
200 Total Purchase of Services	14,000

420 Office Supplies	7,330
400 Total Supplies	7,330
700 Other Charges	5,000
800 Capital Outlay	500
TREASURER/COLLECTOR TOTAL	188,978

151 LEGAL

308 Legal Services	75,000
200 Total Purchase of Services	75,000
LEGAL TOTAL	75,000

MOTION MADE: To reduce the Legal Budget by $15,000 to a new total of $60,000

MOTION (as stated above) **VOTED UNANIMOUSLY**

LEGAL TOTAL AS AMENDED	60,000

152 PERSONNEL BOARD

110 Salaries	0
100 Total Personal Services	0
344 Postage	25
380 Misc. Contracted Services	6,402
200 Total Purchase of Services	6,427
420 Office Supplies	50
400 Total Supplies	50
700 Other Charges	0
800 Capital Outlay	0
PERSONNEL BOARD TOTAL	6,477

158 ADMINISTRATIVE SUPPORT

110 Salaries	75,250
100 Total Personal Services	75,250
380 Misc. Contracted Services	4,000
200 Total Purchase of Services	4,000
420 Office Supplies	250
400 Total Supplies	250
700 Other Charges	0
800 Capital Outlay	0
ADMINISTRATIVE SUPPORT TOTAL	79,500

159 CENTRAL SERV/OPS SUPPORT

110 Salaries	39,534
100 Total Personal Services -	39,534
253 Computer Services	55,375
273 Postage Meter Rental	1,300
340 Printing	10,000
341 Telephone	10,100
344 Postage	23,000
380 Misc. Contracted Services	12,405
200 Total Purchase of Services	112,180
420 Office Supplies	7,975
421 Storage of Microfilm	1,000
422 Photocopying Supplies	4,311
510 Books	0
584 Computer Supplies	8,755
599 Service Supplies	0
400 Total Supplies	22,041
710 Travel	0
733 Schooling	21,110
782 Miscellaneous	2,300
700 Total Other Charges and Expenses	23,410

850 New Equipment	0
854 Computer Equipment	13,400
800 Capital Outlay	13,400
CENTRAL SERV/OPS SUPPORT TOTAL	210,565

161 TOWN CLERK

110 Salaries	38,824
100 Total Personal Services	38,824
240 Equipment Repairs	100
304 Medical Exams	0
346 Report of Vital Statistics	260
200 Total Purchase of Services	360
420 Office Supplies	400
421 Storage of Microfilm	100
583 Dog Licenses	500
400 Total Supplies	1,000
700 Other Charges	1,260
800 Capital Outlay	500
TOWN CLERK TOTAL	41,944

162 ELECTIONS & REGISTRATION

110 Salaries	35,415
100 Total Personal Services	35,415
240 Equipment Repair	100
343 Street Listings	6,500
200 Total Purchase of Services	6,600
420 Office Supplies	2,500
580 Town Meeting Expenses	2,500
400 Total Supplies	5,000
700 Other Charges	2,400
800 Capital Outlay	500
ELECTIONS & REGISTRATION TOTAL	49,915

171 CONSERVATION COMMISSION

341 Telephone	420
200 Total Purchase of Services	420
420 Office Supplies	100
400 Total Supplies	100
700 Other Charges	2,455
800 Capital Outlay	0
CONSERVATION COMMISSION TOTAL	2,975

175 PLANNING BOARD

110 Salaries	65,480
100 Total Personal Services	65,480
340 Printing Services	300
342 Legal Notices	400
380 Misc. Contracted Services	0
200 Total Purchase of Services	700
420 Office Supplies	200
400 Total Supplies	200
700 Other Charges	1,350
800 Capital Outlay	0
PLANNING BOARD TOTAL	67,730

192 TOWN BUILDINGS & GROUNDS

110 Salaries	57,728
100 Total Personal Services	57,728
210 Electricity	13,000

212 Heat	11,865
230 Water	11,539
244 Building Maintenance & Repair	19,145
247 Grounds Maintenance	18,500
380 Misc. Contracted Services	115,000
200 Total Purchase of Services	189,049
481 Gasoline	57,000
400 Total Supplies	57,000
779 Renovation of Historical Building	0
782 Miscellaneous	0
700 Total Other Charges & Expenses	0
850 New Equipment	1,700
867 New Improvements	0
800 Capital Outlay	1,700
TOWN BUILDINGS & GROUNDS TOTAL	305,477

PUBLIC SAFETY

210 POLICE DEPARTMENT

110 Salaries	1,058,461
190 Employee Allowance	15,525
100 Total Personal Services	1,073,986
210 Electricity	5,000
211 Heat & Oil	5,000
230 Water	200
241 Vehicle Maintenance & Repair	5,000
242 Radio Repair	3,000
243 Service Equipment	12,000
244 Building Maintenance & Repair	5,000
304 Medical Exams	350
341 Telephone	7,700
342 Legal Notices	100
344 Postage	900
200 Total Purchase of Services	44,250
599 Service Supplies	5,000
400 Total Supplies	5,000
700 Other Charges	11,000
800 Capital Outlay	4,000
POLICE DEPARTMENT TOTAL	1,138,236

220 FIRE DEPARTMENT

110 Salaries	1,201,925
190 Employee Allowance	43,770
100 Total Personal Services	1,245,695
210 Electricity	7,400
211 Heat & Oil	5,060
230 Water	550
241 Vehicle Maintenance & Repair	15,000
243 Service Equipment	5,775
244 Building Maintenance & Repair	5,145
341 Telephone	4,500
380 Misc. Contracted Services	0
200 Total Purchase of Services	43,430
420 Office Supplies	6,000
480 Grease & Oil	500
510 Books/A.V. Materials	2,000
599 Service Supplies	6,500
400 Total Supplies	15,000

700 Other Charges	7,750
800 Capital Outlay	11,000
FIRE DEPARTMENT TOTAL	1,322,875

MOTION MADE: That $250,000 of the Fire Department Budget ($1,322,875), to be raised and appropriated shall be contingent on passage of a budget override by a majority vote at the Annual Town Election.
THIS REQUIRES A 2/3 VOTE
MOTION (as stated above) **VOTED UNANIMOUSLY.**

FIRE DEPARTMENT TOTAL AS AMENDED	**1,072,875**

241 BUILDING DEPARTMENT

110 Salaries	57,795
100 Total Personal Services	57,795
380 Misc. Contracted Services	0
200 Total Purchase of Services	0
420 Office Supplies	0
530 Building Supplies	775
400 Total Supplies	775
700 Other Charges	3,415
800 Capital Outlay	1,000
BUILDING DEPARTMENT TOTAL	62,985

291 CIVIL DEFENSE

110 Salaries	1,013
100 Total Personal Services	1,013
245 Equipment Repairs	240
341 Telephone	410
200 Total Purchase of Services	650
420 Office Supplies	0
400 Total Supplies	0
700 Other Charges	0
800 Capital Outlay	500
CIVIL DEFENSE TOTAL	2,163

292 ANIMAL CONTROL OFFICER AND ANIMAL INSPECTOR

110 Salaries	31,327
100 Total Personal Services	31,327
270 Facility Rental	3,000
341 Telephone	0
383 Care & Destruction	3,100
200 Total Purchase of Services	6,100
420 Office Supplies	100
599 Service Supplies	300
400 Total Supplies	400
700 Other Charges	2,700
800 Capital Outlay	200
ANIMAL CONTROL OFFICER AND ANIMAL CONTROL INSPECTOR TOTAL	40,727

420 DEPARTMENT OF PUBLIC WORKS

110 Salaries	943,625
190 Employee Allowance	27,068
100 Total Personal Services	970,693
210 Electricity	60,000
211 Heat	15,100
230 Water	975

244 Building Maintenance & Repair	11,500
245 Equipment Repairs	18,000
246 Traffic Signal Maintenance	5,000
250 Meter Repairs	2,000
251 Hydrant Repairs	4,000
271 Equipment Rental	1,800
293 Refuse Disposal	185,000
295 Service Connection	12,000
296 MDC Payment	445,000
297 Snow Removal - Contr.	42,350
305 Tree Experts	47,500
341 Telephone	11,500
342 Legal Notices	2,100
344 Postage	3,500
380 Miscellaneous Contracted Services	40,500
200 Total Purchase of Services	907,825
420 Office Supplies	4,000
490 Meals	900
529 Parts - Other Depts.	0
531 Highway Paint	14,000
532 Parts	30,000
534 Gravel. Stone & Fill	2,000
535 Salt & sand	65,000
537 Bituminous Concrete	3,500
538 Signs	8,000
539 Drainage Materials	3,500
540 Guard Rail	500
541 Small Tools	2,700
542 DPW Service Supplies	12,300
543 Pipe & Fittings	4,500
544 Meters & Fittings	13,000
400 Total Supplies	163,900
700 Other Charges	4,100
800 Capital Outlay	8,500
DEPARTMENT OF PUBLIC WORKS TOTAL	2,055,018

	WATER DIVISION	DPW, ALL OTHER	DPW TOTAL
100 Personal Services	323,337	647,356	970,693
200 Purchase of Services	564,500	343,325	907,825
400 Supplies	27,300	136,600	163,900
700 Other Charges	1,840	2,260	4,100
800 Capital Outlay	3,500	5,000	8,500
TOTAL	920,477	1,134,541	2,055,018

750 INTEREST ON DEBT

WATER FUND

Water Extension	0
Water Extension	0

900 DEBT SERVICE	0
710 DEBT SERVICE	

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001

WATER FUND

Water Extension	0
Water Extension	0
900 DEBT SERVICE	0

424 STREET LIGHTS

210 Electricity	95,000
200 Total Purchase of Services	95,000
STREET LIGHTS TOTAL	95,000

HUMAN SERVICES

511 BOARD OF HEALTH

110 Salaries	87,391
100 Total Personal Services	87,391
307 Nursing Services	1,500
345 Advertising	300
380 Misc. Contracted Services	7,880
200 Total Purchase of Services	9,680
420 Office Supplies	1,600
599 Service Supplies	0
400 Total Supplies	1,600
700 Other Charges	6,850
800 Capital Outlay	0
BOARD OF HEALTH TOTAL	105,521

541 COUNCIL ON AGING

110 Salaries	58,582
100 Total Personal Services	58,582
340 Printing	300
341 Telephone	900
344 Postage	700
380 Misc. Contracted Services	25,000
200 Total Purchase of Services	26,900
420 Office Supplies	500
599 Service Supplies	1,200
400 Total Supplies	1,700
700 Other Charges	900
800 Capital Outlay	5,000
COUNCIL ON AGING TOTAL	93,082

MOTION MADE: To reduce the Council on Aging Budget by $5,000 to a new total of $88,082.
MOTION (as stated above) VOTED BY A MAJORITY VOTE

COUNCIL ON AGING TOTAL AS AMENDED	**88,082**

543 VETERANS' SERVICES

110 Salaries	9,838
100 Total Personal Services	9,838
344 Postage	0
200 Total Purchase of Services	0
700 Other Charges	15,567
VETERANS' SERVICES TOTAL	25,405

632 YOUTH COMMISSION

110 Salaries	86,855
100 Total Personal Services	86,855

380 Misc. Contracted Services	19,500
200 Total Purchase of Services	19,500
599 Service Supplies	5,000
400 Total Supplies	5,000
700 Other Charges	3,600
800 Capital Outlay	0
YOUTH COMMISSION TOTAL	114,955

CULTURE AND RECREATION

610 LIBRARY

110 Salaries	224,422
100 Total Personal Services	224,422
210 Electricity	13,750
211 Heat & Oil	9,000
230 Water	175
244 Building Maintenance	13,500
245 Equipment Repairs	3,000
341 Telephone	1,500
200 Total Purchase of Services	40,925
420 Office Supplies	2,000
510 Books	58,000
400 Total Supplies	60,000
700 Other Charges	8,650
850 New Equipment	1,000
859 Automation/Retrospective Conversion	5,850
800 Capital Outlay	6,850
LIBRARY TOTAL	340,847

631 RECREATION

110 Salaries	82,413
100 Total Personal Services	82,413
247 Grounds Maintenance	0
304 Medical Exams	120
340 Printing	2,590
341 Telephone	0
345 Advertising	1,200
380 Misc. Contracted Services	1,000
200 Total Purchase of Services	4,910
512 Arts & Crafts	0
599 Service Supplies	600
400 Total Supplies	600
700 Other Charges	2,950
800 Capital Outlay	0
RECREATION TOTAL	90,873

633 HISTORICAL COMMISSION

340 Printing	400
344 Postage	125
380 Misc. Contracted Services	2,100
200 Total Purchases of Services	2,625
420 Office Supplies	600
400 Total Supplies	600
732 Subscriptions	100
782 Miscellaneous	0
700 Total Other Charges and Expenses	100
HISTORICAL COMMISSION TOTAL	3,325

INSURANCE

900 INSURANCE	
170 Blue Cross - Health	49,171
171 HMO - Health	1,466,772
173 Dental - Health	94,637
100 Total Personal Services	1,610,580
172 Group Life Insurance	6,233
100 Total Personal Services	6,233
301 Consulting Services	11,000
200 Total Purchase of Services	11,000
742 Liability Package Policy	71,300
746 Police/Fire Accident	20,000
750 Youth Director	500
751 Medicare	106,400
753 Social Security	64,584
700 Other Charges and Expenses	262,784
INSURANCE TOTAL	1,890,597

MOTION MADE: To reduce the Insurance Budget by $50,000 to a new total of $1,840,597.
MOTION (as stated above) **VOTED UNANIMOUSLY**.

INSURANCE TOTAL AS AMENDED	**1,840,597**

DEBT AND INTEREST

750 INTEREST ON DEBT	
GENERAL FUND	
Library	0
Finn School	2,864,342
Underground Storage Tanks	0
Land Purchase	0
DPW Garage	37,225
Middle School	3,025,749
Land 40 Central	0
900 DEBT SERVICE	5,927,316
710 DEBT SERVICE	
GENERAL FUND	
Library	0
Finn School	8,370,000
Underground Storage Tanks	0
Land Purchase	0
DPW Garage	400,000
Middle School	8,075,000
MWPAT Septic	177,605
Land 40 Central	0
900 DEBT SERVICE	17,022,605
RESERVE FUND	150,000

SCHOOL DEPARTMENT

SOUTHBOROUGH SCHOOLS
REGULAR DAY PROGRAMS

ADMINISTRATION	
School Committee	25,500
Superintendent's Office	171,908
Administrative Support	138,380

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001

INSTRUCTION	
Supervision	26,000
Principals	501,439
Teaching	4,662,484
Professional Development	66,400
Textbooks	61,279
Instructional Hardware & Software	202,084
Library Services	186,007
Audio/Visual Services	12,184
Guidance Services	186,022
OTHER STUDENT SERVICES	
Personnel Services	500
Health Services	128,572
Transportation	210,577
Food Services	0
Student Body Activities	25,161
OPERATION & MAINTENANCE OF BUILDING	
Operation of Buildings	882,296
Maintenance of Buildings	162,065
Extraordinary Maintenance	0
Networking & Telecommunications	44,762
FIXED CHARGES	
Early Retirement Liability	0
Rentals & Leases	17,379
TUITION, OTHER PUBLIC SCHOOL	
Vocational Education	0
REGULAR DAY PROGRAMS	7,710,999
SPECIAL EDUCATION PROGRAMS – CHAPTER 766	
INSTRUCTION	
Director	79,582
Teaching	1,237,825
Professional Development	4,000
Instructional Hardware & Software	2,600
Psychological Services	166,765
OTHER STUDENT SERVICES	
Health Services	45,000
Transportation	216,210
OPERATION & MAINTENANCE OF BUILDINGS	
Operation of Buildings	1,000
MAINTENANCE OF EQUIP SPED	6,500
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS	
Tuition, Out	607,000
Transportation, Out	0
PROGRAMS, MEMBERS OF COLLABRATIVE	
Assabet Collabrative Assessment	145,597
Tuition Out	0
Transportation Out	0

SPECIAL EDUCATION – CHAPTER 766	2,512,079

SUMMARY	
REGULAR DAY PROGRAMS	7,710,999
SPECIAL ED LOAN (Year 3 of 3)	55,000
SPECIAL ED. – CHAPTER 766	2,512,079
GRAND TOTAL OPERATING BUDGET	10,278,078

MOTION MADE: To reduce the Southborough Schools K-8 Budget by $185,951 to a new total of $10,092,127.

MOTION (as stated above) **VOTED UNANIMOUSLY**

GRAND TOTAL OPERATING BUDGET AS AMENDED	**10,092,127**

ALGONQUIN REGIONAL HIGH SCHOOL

ADMINISTRATION	
School Committee	59,250
Superintendent's Office	172,526
Administrative Support	130,562
INSTRUCTION	
Supervision	61,010
Principals	531,435
Teaching	4,896,486
Professional Development	65,300
Textbooks	94,535
Instructional Hardware and Software	119,618
Library Services	157,022
Audio/Visual Services	5,950
Guidance Services	429,264
OTHER STUDENT SERVICES	
Health Services	65,573
Transportation	608,128
Food Services	0
Athletic/ Student Body Activities	518,898
OPERATION & MAINTENANCE OF BUILDINGS	
Operation of Buildings	656,786
Maintenance of Buildings	127,030
Extraordinary Maintenance	0
Networking & Telecommunications	46,000
FIXED CHARGES	
Retirement Liability	75,841
Insurance	1,124,726
Rentals & Leases	55,450
TUITION, OTHER PUBLIC SCHOOLS	
Vocational Education	0
School Choice	43,000
REGULAR DAY PROGRAMS	10,044,390

SPECIAL EDUCATION PROGRAMS – 766

INSTRUCTION	
Director	75,619
Teaching	505,442
Professional Development	2,400
Instructional Hardware & Software	2,000
Psychological Services	64,419
OTHER STUDENT SERVICES	
Health Services	8,000
Transportation	114,500
OPERATION & MAINTENANCE OF BUILDINGS	
New Equipment	0
Equipment Maintenance	3,600
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS	
Tuition, Out	365,000
Transportation, Out	0
PROGRAMS, MEMBER OF COLLABRATIVE	
Assabet Collaborative Assessment	0
Tuition, Out	97,000
Transportation, Out	0
SPECIAL EDUCATION – CHAPTER 766	1,237,980

SUMMARY

REGULAR DAY PROGRAMS	10,044,390
SPECIAL EDUCATION – CHAPTER 766	1,237,980
GRAND TOTAL OPERATING BUDGET	11,282,370

NORTHBOROUGH – SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2001 BUDGET & ASSESSMENTS – DEPT OF ED RECOMMENDED METHOD
PRELIMINARY

			68.22% Northboro	31.78% Southboro
Step 1 Proposed Operating Budget (FY 2002)		11,282,370.00		
Less Transportation	606,128.00			
SPED-Trans	145,000.00	751,128.00		
Less Fixed Charge		0		
Net School Spending		10,531,242.00		
Less revenues		0		
Subtotal		10,531,242.00		
Less Chapter 70 Aid Preliminary		1,891,266.00		
Less State Ward Reimbursement		0		
Net Budget		8,639,976.00		
Step 2 Minimum Local Contribution required by Ed Reform				
Step 3 Difference between Min Contrib & Net Budget balance		8,639,976.00		
Step 4 Apportion Step 3 amount by agreement			5,894,191.63	2,745,784.37
Step 5 Transportation Budget	751,128.00			
Less Aid to Transportation estimated	606,128.00	145,000.00	98,919.00	46,081.00
Step 6 Other Operational Costs	0			
Less Revenues	0			
Step 7 Capital Budget (existing debt service), apportioned		375,712.00	258,223.00	117,489.00
Step 8 Total assessments, Min. Local Contrib plus apportionments		9,160,688.00	6,251,333.63	2,909,354.37
Step 9 Excess & Deficiency Offset		75,000.00	51,165.00	23,835.00
FY 2002 ASSESSMENTS		9,085,688.00	6,200,168.63	2,885,519.37

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001

MOTION MADE: To reduce Southborough's share of the Algonquin Regional High School Budget by $141,459.37 to a new total of $2,744,060.00
MOTION (as stated above) **VOTED UNANIMOUSLY**

Assessment Comparison:
Assessment Comparison:

FY 2001 Assessments	7,575,314.00	5,187,018.00	2,388,296.00
Dollar Increase	1,510,374.00	1,013,150.63	497,223.37
Percent Increase	19.94%	19.53%	20.82%

ASSABET VALLEY REG. VOC. SCHOOL

SCHOOL COMMITTEE	87,447
SUPERINTENDENT & BUSINESS OFFICE	395,793
INSTRUCTION SUPERVISION	292,348
PRINCIPAL OFFICE	128,661
INSTRUCTION & SUPPLIES	5,785,876
TEXTBOOKS	59,500
LIBRARY SERVICES	102,350
MULTI-MEDIA	12,500
GUIDANCE SERVICES	355,878
ATTENDANCE	21,920
HEALTH SERVICES	66,869
TRANSPORTATION CONTRACTS	833,380
TRANSPORTATION SPORTS - FIELD TRIPS	35,451
ATHLETICS PROGRAM	242,009
STUDENT BODY ACTIVITIES	74,440
OPERATION OF PLANT	1,140,853
MAINTENANCE OF PLANT	301,850
HEALTH-LIFE-MEDICARE INSURANCE	731,975
OTHER INSURANCES	187,075
LEASES OF EQUIPMENT	25,000
ACQUISITION OF FIXED ASSETS	161,250
VOCATIONAL DAY OPERATING BUDGET	11,042,425
RIGHT TO KNOW - ASBESTOS AUDIT	10,000
SINGLE AUDIT REQUIREMENT	10,000
RIGHT TO KNOW - AUDIT BUDGET	20,000
CAPITAL PROJECT ROOF (P&I)	0
SPECIAL NEEDS	683,160
TOTAL BUDGET	11,745,585
LESS ANTICIPATED AID & TRANSFERS	(5,484,647)
MASS. GENERAL LAW 23B, SECTION 9 & 9	75,000

TOTAL ASSESSMENT TO COMMUNITIES	6,335,938
SOUTHBORO ASSESSMENT (Estimate)	160,000

MOTION MADE: To reduce Southborough's share of the assessment of the Assabet Valley Regional Vocational School Budget by $1,868 to a new total of $158,132
MOTION (as stated above) VOTED UNANIMOUSLY

MOTION MADE: That the Town raise a sum of money not to exceed the sum of $23,833,865 as may be necessary, for the Town's use, and make appropriations of the same.

Transfer from the Cemetery Trust Fund $15,000

Transfer from Free Cash $1,000,000

Transfer from Overlay Reserve $90,000

That the balance of $22,728,865 be raised and appropriated.

MOTION: (as stated above) VOTED UNANIMOUSLY.

ARTICLE 8: To see if the Town will vote to transfer to Surplus Revenue Account (Excess and Deficiency) a sum of money, or do or act anything in relation thereto. (Proposed by the Town Accountant and the Board of Selectmen)

MOTION MADE: That the Town transfer to Surplus Revenue Account (Excess and Deficiency) the following sums:

Article	Purpose	Amount
ATM 1999, Article 7	Finn/Mooney signs	$1.60
ATM 2000, Article 23	Police Cruisers	$2418.00
Grand Total		$2419.60

MOTION (as stated above) VOTED UNANIMOUSLY

ARTICLE 9: To see if the Town will vote to raise and appropriate, or transfer from any of its available funds and appropriate, the sum of $1,800 to defray expenses of the Memorial Day exercises. Observance exercises are to be under the auspices of the Bagley-Fay Post No. 161 American Legions, and Choate Post No. 3276, Veterans of Foreign Wars, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)
MOTION MADE: That the Town raise and appropriate the sum of $1,800 to defray expenses of the Memorial Day exercises. Observance exercises are to be under the auspices of the Bagley-Fay Post No. 161 American Legions, and Choate Post No. 3276, Veterans of Foreign Wars.
MOTION (as stated above) VOTED UNANIMOUSLY

ARTICLE 10: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $434,361 for the fiscal year beginning July 1, 2001 and ending June 30, 2002 to pay a portion of the expense of the Worcester County Retirement System, of which the Town is a member, and as required by the Worcester County Commissioners, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)
MOTION MADE: That the Town raise and appropriate the sum of $434,361 for the fiscal year beginning July 1, 2001 and ending June 30, 2002 to pay a portion of the expense of the Worcester County Retirement System, of which the Town is a member, and as required by the Worcester County Commissioners.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001

ARTICLE 11: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate a sum of money for the purpose of paying to retirees the amount due for accrued vacation and sick time, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $60,559 to pay retirees the amount due for accrued vacation and sick time.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 12: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $12,000 to fund ongoing maintenance of the Town House, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $12,000 to fund ongoing maintenance of the Town House.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 13: To see if the Town will vote to raise and appropriate, borrow and appropriate, or transfer from available funds and appropriate, a sum of money for the purpose of providing final design and construction of Southborough Community Facilities, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)
2/3 VOTED NEEDED

MOTION MADE: That the Town borrow and appropriate the sum of $350,000 for the final design of the Southborough Community Facilities. This appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at the annual town election.

MOTION MADE: TO INDEFINITELY POSTPONE ARTICLE 13
MOTION TO POSTPONE INDEFINITELY FAILS
MOTION MADE TO MOVE THE QUESTION VOTED BY A MAJORITY
MAIN MOTION PASSED YES 171 NO 73

ARTICLE 14: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of a sum of money to fund ongoing maintenance of the Fayville Village Hall, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)
MOTION MADE TO INDEFINITELY POSTPONE ARTICLE 14
MOTION TO INDEFINITELY POSTPONE ARTICLE 14 VOTED UNANIMOUSLY

ARTICLE 15: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money to fund monitoring of the Parkerville Road Landfill, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)
MOTION MADE TO INDEFINITELY POSTPONE ARTICLE 15 VOTED UNANIMOUSLY

ARTICLE 16: To see if the Town will vote to raise and appropriate, or transfer from available funds and appropriate, a sum of money for hiring special legal counsel, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)
MOTION MADE: That the Town raise and appropriate the sum of $25,000 for hiring a special legal counsel.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 17: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $3,000 for the purpose of funding Marlborough Addictions Referral Center, Inc., a nonprofit drop-in center, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)
MOTION MADE: That the Town raise and appropriate the sum of $3,000 for the purpose of funding Marlborough Addictions Referral Center, Inc., a nonprofit drop-in center

MOTION (as stated above) **VOTED UNANIMOUSLY**

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001

ARTICLE 18: To see if the Town will vote to raise and appropriate, borrow and appropriate, or transfer from available funds a sum of money for the purpose of implementing a Geographic Information System, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town borrow and appropriate the sum of $525,000 for implementing a Geographic Information System. This appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at the annual town election.

MOTION MADE TO MOVE THE QUESTION PASSED BY A MAJORITY VOTE

2/3 VOTE REQUIRED YES 149 NO - 21
MOTION AS STATED ABOVE CARRIES

AT 11:07 PM IT WAS VOTED UNANIMOUSLY TO ADJOURN TO TUESDAY, APRIL 10, 2001 AT 7:30 PM.

A true copy: Paul J. Berry
Attest:________________________
Paul J. Berry, Town Clerk

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

At the Annual Town Meeting Adjourned Session duly called and held at the P. Brent Trottier Middle School on Tuesday, April 10, 2001 the following articles were acted upon in a legal manner. There was a quorum present (150 Voters = quorum, 249 Voters were present).

Checkers:	Janet ME Mattioli	Bonnie Phaneuf
	Lois Denman	Lidia Kiley

The following Tellers were appointed by Moderator Wilson and sworn-in by Town Clerk Paul J. Berry:

Charles Aspesi
Bernard Bautz
James Chance
Susan Ziegler

Town Moderator, John H. Wilson, called the meeting to order at 8:05 PM.

The Colors were presented by Brownie Troop 2798 - Brownie members presenting were:
Nicole Bishop, Jackie Cole, Emily Leonard, Leah Walzer

ARTICLE 19: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate the sum of $250,000 for the maintenance of Town roads, or do or act anything in relation thereto. (Proposed by the Department of Public Works)
MOTION MADE: That the Town raise and appropriate the sum of $250,000 for the maintenance of Town roads.
MOTION (as stated above) **VOTED UNANIMOUSLY**.

MOTION MADE: To move article's 48, 52, 71 forward.
VOTED UNANIMOUSLY TO MOVE ARTICLE'S 48, 52, 71 FORWARD

ARTICLE 48: To see if the Town will vote to raise and appropriate, borrow and appropriate, or transfer from available funds and appropriate, a sum of money for the purpose of road and sidewalk safety improvements along and near Southville Road and Parkerville Road, in the vicinity of Finn, Neary and Trottier Schools, or do or act anything in relation thereto. (Proposed by the Board of Selectmen and Southborough School Committee)

MOTION MADE: That the Town raise and appropriate the sum of $370,000 for road and sidewalk safety improvements along and near Southville Road and Parkerville Road, in the vicinity of Finn, Neary and Trottier Schools. This appropriation shall be contingent on passage by a majority vote at the annual town election excluding this capital expenditure from Proposition 2 ½. **MAJORITY VOTE NEEDED**
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 52: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $200,000 to purchase two (2) portable classrooms for the Neary School, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)

MOTION MADE: That the Town raise and appropriate the sum of $200,000 to purchase two (2) portable classrooms for the Neary School. This appropriation shall be contingent on passage by a majority vote at the annual town election excluding this capital expenditure from Proposition 2 ½.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

ARTICLE 71: To see if the Town will vote to accept Massachusetts General Laws, Chapter 44B, Sections 3-7, known as the Community Preservation Act, which establishes a special "Community Preservation Fund" that may be appropriated and spent for certain open space, historic resources and affordable housing purposes, to approve a property tax surcharge of three percent of the taxes assessed annually on real property which shall be dedicated to the fund, such surcharge to be imposed on taxes assessed for fiscal years beginning on or after July 1, 2001, and to exempt from the surcharge any or all of the following:

(1) property owned and occupied as a domicile by a person who qualifies for low income housing or low or moderate income senior housing in the town;
(2) $100,000 of the assessed valuation of Class One, residential parcels.

, or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: That the Town accept Massachusetts General Laws, Chapter 44B, Sections 3-7, known as the Community Preservation Act, which establishes a special "Community Preservation Fund" that may be appropriated and spent for certain open space, historic resources and affordable housing purposes, to approve a property tax surcharge of three percent of the taxes assessed annually on real property which shall be dedicated to the fund, such surcharge to be imposed on taxes assessed for fiscal years beginning on or after July 1, 2001, and to exempt from the surcharge any or all of the following:

(1) property owned and occupied as a domicile by a person who qualifies for low income housing or low or moderate income senior housing in the town;
(2) $100,000 of the assessed valuation of Class One, residential parcels.

MOTION (as stated above) VOTED BY A MAJORITY VOTE

ARTICLE 20: To see if the Town will vote to transfer from available funds and appropriate a sum of money in anticipation of reimbursement from the Commonwealth for Chapter 90 highway improvements, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town transfer from available funds and appropriate the sum of $271,622 in anticipation of reimbursement from the Commonwealth for Chapter 90 highway improvements.

MOTION (as stated above) VOTED UNANIMOUSLY

ARTICLE 21: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate a sum of money for the purpose of purchasing Public Works Equipment, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $165,000 for the purpose of purchasing Public Works Equipment.

MOTION (as stated above) VOTED UNANIMOUSLY

ARTICLE 22: To see if the Town will vote to accept from the Commonwealth a certain parcel of land situated off of Middle Road for cemetery purposes, or do or act anything in relation thereto. (Proposed by the Department of Public Works)
MOTION TO INDEFINITELY POSTPONE ARTICLE 22 VOTED UNANIMOUSLY

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

ARTICLE 23: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate a sum of money for testing, monitoring and site remediation at the Public Works facility, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $75,000 for testing, monitoring and site remediation at the Public Works facility.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 24: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, the sum of $70,000 to acquire two new four-door full-size sedan police cruisers and one police van and authorize the Selectmen to sell, turn in or otherwise dispose of two police cruisers and one police van, or do or act anything in relation thereto. (Proposed by the Police Chief)

MOTION MADE: That the Town raise and appropriate the sum of $70,000 to acquire two new four-door full-size sedan police cruisers and one police van and authorize the Selectmen to sell, turn in or otherwise dispose of two police cruisers and one police van.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 25: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, the sum of $10,000 to acquire a new boiler system as replacement for the existing unit and authorize the Selectmen to sell, turn in or otherwise dispose of the old boiler system, or do or act anything in relation thereto. (Proposed by the Police Chief)
MOTION TO INDEFINITELY POSTPONE ARTICLE 25 VOTED UNANIMOUSLY

ARTICLE 26: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of hiring consulting engineers by various Town departments, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $27,500 for the purpose of hiring consulting engineers by various Town departments.
MOTION (as stated above) **VOTED BY A MAJORITY**

ARTICLE 27: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $17,500 to be used for expenses incurred from a private audit of the Town's financial officers to be carried out by a private firm which meets the standards of the Commonwealth of Massachusetts, Bureau of Accounts, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $17,500 to be used for expenses incurred from a private audit of the Town's financial officers to be carried out by a private firm which meets the standards of the Commonwealth of Massachusetts, Bureau of Accounts.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 28: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $6,156 for the purpose of aiding in the funding of the MetroWest Planning Office, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $6,156 for the purpose of aiding in the funding of the MetroWest Planning Office.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

ARTICLE 29: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money to participate in a joint purchasing contract for procurement of goods and services with MetroWest Regional Services Consortium, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $5,000 to participate in a joint purchasing contract for procurement of goods and services with MetroWest Regional Services Consortium.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 30: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate $2,000 for the purpose of contributing to the annual operating budget of the SuAsCo Watershed Community Council, or do or act anything in relation thereto. (Proposed by the Conservation Commission, Open Space Preservation Commission and Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $2,000 to contribute to the annual operating budget of the SuAsCo Watershed Community Council.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 31: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money to be expended under the direction of the Heritage Day Committee for the purpose of paying the necessary costs associated with the Heritage Day celebration and the Heritage Day parade, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $10,000 to be expended under the direction of the Heritage Day Committee for the purpose of paying the necessary costs associated with the Heritage Day celebration and the Heritage Day parade.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 32: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, a sum of money for the purpose of maintenance of equipment, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)
MOTION MADE: That the Town raise and appropriate the sum of $3,000 for the purpose of maintenance of equipment.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 33: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $5,000 for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

ARTICLE 34: To see if the Town will vote to renew a revolving fund established under Chapter 44, Section 53 E 1/2, "An Act Authorizing Cities and Towns to Establish Certain Revolving Funds", a revolving fund for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town renew a revolving fund established under Chapter 44, Section 53 E ½, "An Act Authorizing Cities and Towns to Establish Certain Revolving Funds", a revolving fund for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 35: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, the sum of $14,000 to purchase a copier, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $14,000 to purchase a copier.

MOTION (as stated above) **VOTED BY A MAJORITY**

ARTICLE 36: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $10,000 for the purpose of conducting a Household Hazardous Waste Day, or do or act anything in relation thereto. (Proposed by the Board of Health)

MOTION MADE: That the Town raise and appropriate the sum of $10,000 for the purpose of conducting a Household Hazardous Waste Day.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 37: To see if the Town will vote to raise and appropriate, or transfer from available funds and appropriate, a sum of money to be deposited in the Stabilization Fund to be held and administered in accordance with the provisions of Massachusetts General Laws, Chapter 40, Section 5b, or do or act anything in relation thereto. (Proposed by the Advisory Committee and Board of Selectmen)

MOTION TO INDEFINITELY POSTPONE ARTICLE 37 VOTED UNANIMOUSLY

ARTICLE 38: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money to fund a Workers' Compensation Claim Reserve Fund as per Massachusetts General Laws, Chapter 40, Section 13C, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $40,000 to fund a Workers' Compensation Claim Reserve Fund as per Massachusetts General Laws, Chapter 40, Section 13C.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

ARTICLE 39: To see if the Town will vote to transfer control and management of approximately 130,680 square feet of school property, formerly known as South Union School on Highland Street (Assessors' Map 3, Lot 3), from school purposes to general town purposes, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)

MOTION MADE: That the Town vote to transfer control and management of approximately 130,680 square feet of school property, formerly known as South Union School on Highland Street (Assessors' Map 3, Lot 3) from school purposes to general town purposes.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 40: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money to hire an architectural firm to undertake a feasibility study that would examine the options and cost that would include renovation and code compliance with the ADA (American Disabilities Act) of the South Union School for the housing of the Southborough Arts Council and to serve as the permanent Southborough Arts Center. The study would also include the feasibility of constructing a playground on this same site, or do or act anything in relation thereto. (Proposed by the Southborough Cultural Arts Council)

MOTION MADE: That the Town raise and appropriate the sum of $25,000 to hire an architectural firm to undertake a feasibility study that would examine the options and cost that would include renovation and code compliance with the ADA (American Disabilities Act) of the South Union School for the housing of the Southborough Arts Council and to serve as the permanent Southborough Arts Center. The Study would also include the feasibility of constructing a playground on the same site.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 41: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $10,000 for the purpose of compensating qualified senior citizens for services rendered to the Town through the Senior Tax Work-off Program, or do or act anything in relation thereto. (Proposed by the Council on Aging)

MOTION MADE: That the Town transfer from overlay reserve and appropriate the sum of $10,000 to compensate qualified senior citizens for services rendered to the town through the Senior Tax Work-off Program.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 42: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money to hire staff with expertise in capital planning and building maintenance for schools and town buildings, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)
MOTION MADE: That the Town raise and appropriate the sum of $70,000 to hire staff with expertise in capital planning and building maintenance for schools and town buildings.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 43: To see if the Town will vote to establish and/or reauthorize a revolving account authorized to, and for the use of the Southborough Fire Department for the receipt of ambulance fees, in accordance with Massachusetts General Laws, Chapter 44, Section 53E ½. Expenditures for fiscal year 2002 will not exceed one percent (1%) of the amount raised by taxation in fiscal year 2001, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town vote to establish a revolving account authorized to, and for the use of the Southborough Fire Department for the receipt of ambulance fees, in accordance with Massachusetts General Laws, Chapter 44, Section 53E ½. Expenditures for fiscal year 2002 will not exceed one percent (1%) of the amount raised by taxation in fiscal year 2001.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

ARTICLE 44: *To* see if the Town will vote to insert a new Section 95, Fire Alarm Code, into the Code of the Town of Southborough. This section shall read as follows:

95-1. DEFINITIONS

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein. The word "shall" is always mandatory and not discretionary.

ALARM SYSTEM – An assembly of equipment and devices or a single device such as a solid state unit which plugs directly into a one-hundred-ten volt alternating current (AC) line, arranged to signal the presence of a hazard requiring urgent attention and to which the Fire Department is expected to respond.

ALARM USED or USER – Any person on whose premises an alarm system is maintained within the Town except for alarm systems on motor vehicles or proprietary systems. Excluded from this definition and from the coverage of this chapter are Central Station personnel and persons who use alarm systems to alert or signal persons within the premises in which the alarm system is located of an attempted unauthorized intrusion or hold up. If such a system employs an audible signal emitting sounds or a flashing light or beacon designed to signal persons outside the premises, such a system shall be within the definitions of "alarm system" as that term is used in this chapter and shall be subject to this chapter.

ANNUNCIATOR – A device containing two or more targets or indicator lamps in which each target or lamp indicated the circuit condition or location to be annunciated.

ADUIO-VISUAL ALARM – A UL® listed device which will sound a distinct audible alarm signal rated at eighty-five (85) decibels (dB) at ten (10) feet and will initiate a flashing visual signal.

AUTHORITY HAVING JURISDICTION (AHJ) – The municipal approving authority which is responsible for response to the specific alarm signal that the system is designed to transmit:
Fire Alarms: The Southborough Fire Department
Emergency Medical Alarms: The Southborough Fire Department

AUTOMATIC DIALING DEVICE – An alarm system which automatically sends over telephone lines or otherwise a coded signal indicating the existence and location of the emergency situation that the alarm system is designed to detect.

CARBON MONOXIDE DETECTOR – A UL® listed device, designed to detect carbon monoxide by reacting to minimal levels in the air, powered by a battery or one-hundred-ten (110) volt AC current for local residential systems and twenty-four (24) volts for nonresidential systems.

CENTRAL STATION – An office to which alarm and supervisory signaling devices are connected, where operators supervise circuits or where guards are maintained continuously to investigate signals.

DIGITAL DIALER - A UL® listed device approved by the AHJ which transmits coded point identification to a central station receiver.

DOUBLE ACTION PULL STATION - A UL® listed device designed so that an occupant can manually signal the presence of fire and sound the fire alarm system. To avoid false alarms, this device requires two (2) actions to initiate the signal.

EMERGENCY MEDICAL SERVICES – Emergency medical care and ambulance services provided by the Southborough Fire Department.

FALSE ALARM – An activation of an alarm system due to mechanical failure, malfunction, improper installation, or negligence of the user of an alarm system, his/her employees or agents, or which produces any signal resulting in the response of the Fire Department when in fact there has not been detection of an actual fire, smoke, heat, water flow, or other condition designed to detect a fire or medical alarm. Excluded from this definition are activation of alarm systems caused by natural disasters.

FIRE CHIEF – The Chief of the Southborough Fire Department.

FIRE DEPARTMENT – The Southborough Fire Department.

FM APPROVED – A device which has been tested and approved by Factory Mutual Systems.

GRAPHIC REPRESENTATION – An illustrated representation of the structure which must be posted at both the fire alarm control paned and at the annunciator. This representation must be permanently mounted and protected from damage. It shall be approved by the AHJ.

HEAT DETECTOR - A UL® listed device which detects and signals the presence of heat by temperature monitoring.

IMSA – The International Municipal Signal Association.

KNOX BOX® - A secured key box manufactured by the Knox Company, Irvine, CA. Located on the exterior of all commercial structures with fire alarm systems to which only the Fire Department has access.

NATIONAL FIRE CODE – The fire codes developed and published by the National Fire Protection Association (NFPA).

LICENSED FIRE ALARM INSATLLER – A person licensed by the Commonwealth of Massachusetts to install fire alarm systems.

LOCATING STROBE LIGHT – A red strobe light located over the Knox Box which will flash upon the activation of the fire or emergency medical alarm system so as to draw attention to the structure and indicate the location of the Knox Box.

NATIONAL FIRE ALARM CODE – The fire codes developed and published by the NFPA through a consensus process and referenced as part of this chapter.

NEC – The current version of the National Electrical Code (NFPA 70)

NFPA – The National Fire Protection Association.

NFPA 72 – The current edition of Installation, Maintenance and Use of Remote Station Protective Signaling Systems.

NFPA 90A – The current edition of Installation of Air Conditioning and Ventilation Systems.

NFPA 101 – The current edition of the Life Safety Codes.

NOTICE OF VIOLATION – A legal notice issued by the Fire Chief or his designee under Massachusetts General Laws, Chapter 148, the Massachusetts Fire Prevention Regulations 527CMR or this by-law which indicates non-compliance.

POINT IDENTIFICATION – Utilizing computer and processed logic control system technology, identifies the exact device of alarm origination and communicates this information locally to the fire alarm control panel and fire alarm annunciator through the use of light-emitting diodes, back lighting or alphanumeric description and, at the discretion of the AHJ, transmits this information directly to the Central Station through the use of a digital dialer.

PUBLIC NUISANCE – Anything which annoys, injures or endangers the comfort, repose, health or safety of any considerable number of persons of any community or neighborhood.

SMOKE DETECTOR - A UL® listed detection device, designed to detect fires in their incipient stage be reacting to minute by-products of combustion in the air, which is powered by battery or one-hundred-ten (110) volt AC current for local residential systems and twenty-four (24) volts for non-residential systems (as defined in Underwriters' Laboratory Code 168).

TOWN – The Town of Southborough.

UL® LISTED – Listed and approved for the specific use by Underwriters' Laboratory.

VERIFICATION – The fire alarm option which delays the transmission of an alarm from the smoke detector circuits until cross-zoning of two (2) devices indicates an alarm or a single smoke detector holds an alarm condition for two (2) cycles from a single device. (This option greatly reduces false alarms while maintaining a high level of fire safety.)

WATER FLOW ALARM – An alarm signal initiated by the activation of a fire sprinkler, hose station or fixed water spray fire-suppression system.

ZONE – A specific physical area protected by a group of fire alarm initiating devices.

95-2. GENERAL REGULATIONS

A. All alarm users of nonresidential fire and emergency medical alarm systems shall equip the alarmed premises with an approved Knox Box of sufficient size to hold all premises keys and other pertinent information. A red indicator strobe light shall be mounted above the Knox Box to indicate its location.

B. The alarm user shall be responsible with providing the Fire Chief with current information relative to the emergency contacts, hazardous operations and access keys.

95-3. CONTROL REQUIREMENTS

A. All fire alarms shall be registered with the Fire Department in writing. Registration shall include the fire alarm user's name, address, telephone number, approved Central Station name and telephone number.

B. Every alarm user shall submit to the Fire Chief the names, addresses and telephone numbers of at least two (2) persons who can be reached at any time, day or night, and who are authorized to respond to an emergency signal transmitted by an alarm system and who can open the premises wherein the alarm is installed.

95-4. INSTALLATION OF FIRE ALARM SYSTEMS (excluding one and two family residential applications)

A. Prior to the installation or alteration of any fire alarm system, the firm contracted by the alarm user shall apply to the Fire Department for a fire alarm permit. At the timeof application the contracted company shall submit fire alarm prints which are drawn to scale and utilize current design and engineering standards. The Fire Chief or his designee shall have twenty-one (21) days to review, comment on, approve or reject these plans. All plans submitted must include the specifications of all devices which the contracted firm proposes to install. If the Fire Chief or his designee rejects these plans, he must reference in writing the basis of his rejection.

B. Whenever possible, the automatic dialing device equipment proposed shall provide point identification to the central station. Tamper devices shall transmit a supervisory signal to the central station. Graphic Representation as well as a Knox Box and exterior locating strobe light shall be provided on all installations.

C. Installation shall be conducted in accordance with Massachusetts General Laws, Fire Prevention Regulations 527 CMR, Massachusetts Building Code 780 CMR, NFPA 70, NFPA 72 and all other applicable codes.

D. At the completion of the fire alarm system installation, the fire alarm contractor shall perform a one hundred percent (100%) test as outlined in NFPA 72 of all initiating and control devices. At the completion of this testing process, the fire alarm contractor shall furnish the Fire Chief or his designee with a letter of one hundred percent (100%) testing and request a final inspection for system approval. The first inspection will be provided as part of the fire alarm permit fee, and each reinspection will be performed at an additional fee.

95-5. MAINTENANCE AND REPAIR OF FIRE ALARM SYSTEMS.

A. Permits shall be obtained from the Fire Department prior to starting any alteration or repair of fire alarm systems. Fees for permits shall be established by the Fire Chief and approved by the Board of Selectmen. All work shall be conducted in accordance with NFPA 70, NFPA 72, and all applicable Massachusetts General Laws and Regulations. Permits will be available between the hours of 8:00 AM and 6:00 PM at Fire Headquarters, 21 Main Street. For off-hour emergency repairs (between the hours of 6:00 PM and 8:00 AM), permits may be obtained the next day after 8:00 AM.

B. In addition to the issuance of a permit as indicted in Section 5 A, the Fire Department and Central Station shall be notified via telephone immediately prior to any test, maintenance, alteration or repair of fire alarm systems (to reduce the chance of a false fire alarms). Notification shall also be given via telephone at the completion of the work.

C. Only licensed personnel or persons working as an apprentice under the supervision of licensed personnel as approved by the Commonwealth of Massachusetts shall be allowed to perform maintenance and repairs to fire alarm systems.

95-6. THE INSTALLATION AND MAINTENANCE OF RESIDENTIAL FIRE ALARM SYSTEMS.

A. Prior to the issuance of any building permit for new construction or alterations to one and two family residences, the applicant shall submit a set of plans to the Fire Department for approval of the firedetection system. The plans shall show all devices as required by Massachusetts General Laws Chapter 148, 780CMR the Massachusetts Building Code and 527CMR the Massachusetts Fire Prevention Regulations.

B. Upon completion of the building or renovations, the applicant shall schedule an inspection with the Fire Department. A one hundred percent (100%) test shall be conducted on all devices. A Certificate of Compliance shall be issued by the Fire Department in accordance with Massachusetts General Laws Chapter 148, Section 26 upon successful testing of the system. A fee for the Certificate of Compliance shall be established by the Fire Chief and approved by the Board of Selectmen.

C. Maintenance and repair shall conform to Section 95-5.

95-7. FALSE ALARMS

A. When emergency messages and/or signals are received by the r Fire Department that evidence false alarms, the Fire Chief shall take such action as may be appropriate under this section, and when so required by the terms of this by law, order the immediate repair and upgrade of fire alarm systems in such a manner as to reduce the occurrence of false alarms.

B. After the Fire Department has recorded three (3) separate false alarms within a calendar year (commencing January 1st.) from an alarm system, the Fire Chief or his/her designee shall notify the alarm user in writing and by certified mail of such facts, including dates and times of each alleged false alarm.

95-8. VIOLATIONS AND PENALTIES

A. Any user of an alarm system which transmits false alarms shall be assessed a fine more commensurate with the Department's costs in accordance with the following schedule for each false alarm in excess of three (3) occurring within a calendar year. These fines may be adjusted by the Fire Chief, who will provide the Board of Selectmen with an annual report of the status of these fines and the outstanding balances which are due.

Emergency Medical:	one hundred fifty dollars ($150) per alarm
Fire Alarms:	one hundred fifty dollars ($150) per alarm

In extenuating circumstances where, in the opinion of the Fire Chief of his designee, that a continuous ongoing effort to resolve the false alarm situation exists, the Fire Chief or his designee may waive the false alarm assessment.

95-9. DISPOSITION OF FUNDS

A. All fines assessed shall be paid to the Town Treasurer for deposit in the General Fund. This by-law shall be subject to Massachusetts General Laws Chapter 40, Section 21D for non-criminal enforcement.

, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town vote to insert a new Section 95, Fire Alarm Code, into the Code of the Town of Southborough as printed in the Warrant.
AMENDMENT TO MOTION: TO AMEND (SECTION 95-8) BY STRIKING THE AMOUNT OF $150 AND INSERTING $500 FOR FIRE ALARMS.
AMENDMENT PASSED BY A MAJORITY
MAIN MOTION AS AMENDED PASSED BY A MAJORITY VOTE.
Approved by the Attorney General on December 17, 2001.

ARTICLE 45: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, a sum of money to replace the windows at Fire Headquarters, or do or act anything in relation thereto. (Proposed by the Fire Chief)
MOTION MADE: That the Town raise and appropriate the sum of $5,000 to replace the windows at Fire Headquarters.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 46: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, a sum of money to purchase equipment for the creation of a Public Safety Dispatch Facility, or do or act anything in relation thereto. (Proposed by the Fire Chief)
MOTION MADE: That the Town raise and appropriate the sum of $80,000 to purchase equipment for the creation of a Public Safety Dispatch Facility.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 47: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, a sum of money to install waste water holding tanks at Fire Headquarters, 21 Main Street and Station 2, 2 Harrington Court, or do or act anything in relation thereto. (Proposed by the Fire Chief)
MOTION MADE: That the Town raise and appropriate the sum of $11,000 to install waste water holding tanks at Fire Headquarters, 21 Main Street and Station 2, 2 Harrington Court.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

ARTICLE 49: To see if the Town will vote to amend the Town By-Law by deleting Section 41-20, Quorum requirement and replace it with the following: To conduct business at any Annual or Special Town Meeting, a quorum of ten (10) registered voters in the town shall be present, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town vote to amend the Town by-law by deleting Section 41-20, Quorum requirement and replace it with the following: To conduct business at any Annual or Special Town Meeting, a quorum of fifty (50) registered voters in the town shall be present.
MOTION MADE to INDEFINITELY POSTPONE Article 49 PASSED by a MAJORITY VOTE

ARTICLE 50: To see if the Town will vote to insert a new section, Section 41-1.D., Schedule Fall Town Meeting to the Code of the Town of Southborough. The section shall read as follows:

> Section 41-1.D. Schedule Fall Town Meeting
>
> A Fall Town Meeting shall be held in October of each year on a date to be set by the Board of Selectmen. The Warrant for said Fall Town Meeting shall be open for insertion of Articles for a period of not less than one (1) week, closing at least four (4) weeks prior to said Town Meeting date.

, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town vote to insert a new section, Section 41-1.D., Schedule Fall Town Meeting to the Code of the Town of Southborough to read:

Section 41-1.D. Schedule Fall Town Meeting

A Fall Town Meeting shall be held in October of each year on a date to be set by the Board of Selectmen. The Warrant for said Fall Town Meeting shall be open for insertion of Articles for a period of not less than one (1) week, closing at least four (4) weeks prior to said Town Meeting date.

MOTION MADE TO INDEFINITELY POSTPONE ARTICLE 50
MOTION TO INDEFINITELY POSTPONE Article 50 PASSED BY A MAJORITY VOTE

ARTICLE 51: To see if the Town will vote to appropriate the sum of $500,000 for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws or any other enabling authority; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise, or do or act anything in relation thereto. (Proposed by the Board of Health)

MOTION MADE: That the sum of $500,000 is appropriated for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all cost thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow the sum of $500,000 and issue bonds or notes therefor under G.L. Chapter 111, section 127B ½ and/or Chapter 29C of the General Laws; that project and financing costs shall be repaid by the property owners, in accordance with those agreements, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or for the financing thereof; and that the Board of Selectmen, Department of Public Works, Board of Health or other appropriate local body or official is authorized to enter into a project

regulatory agreement with The Department of Environmental Protection, to expend all funds available for the projects and to take any other action necessary to carry out the projects. **2/3 VOTE NEEDED**
MOTION (as stated above) VOTED UNANIMOUSLY

ARTICLE 53: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $5,446 to purchase classroom furniture For the Neary School, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)
MOTION MADE: That the Town raise and appropriate the sum of $5,446 to purchase classroom furniture for the Neary School.
MOTION (as stated above) VOTED UNANIOMUSLY

ARTICLE 54: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $105,467 for the FY 2002 installment of the multiyear technology update in all Southborough Public Schools, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)
MOTION MADE: That the Town raise and appropriate the sum of $81,467 for the FY 2002 installment of the multiyear technology update in all Southborough Public Schools.
MOTION (as stated above) VOTED UNANIMOUSLY

ARTICLE 55: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $19,800 for Southborough Public Schools' portion of the purchase of furniture and equipment for the Office of the Superintendent of Schools, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)
MOTION MADE: That the Town raise and appropriate the sum of $19,800 for Southborough Public Schools' portion of the purchase of furniture and equipment for the Office of the Superintendent of Schools.
MOTION (as stated above) VOTED UNANIMOUSLY

ARTICLE 56: To see if the Town will vote to authorize borrowing by the Northborough-Southborough Regional School Committee, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), as amended, or for the Town of Southborough to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, their share of the sum of $136,000 for the purpose of equipment purchases of a capital nature for the FY 2002 installment of the multiyear technology update at Algonquin Regional High School, or do or act anything in relation thereto. (Proposed by the Northborough-Southborough Regional School Committee)
MOTION MADE: That the Town approve the borrowing by the Northborough-Southborough Regional School District, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d) of the sum of $136,000 for the purpose of equipment purchases of a capital nature for the FY 2002 installment of the multiyear technology update at Algonquin Regional High School.
BORROWING REQUIRES A MAJORITY VOTE
MOTION (as stated above) VOTED UNANIMOUSLY

ARTICLE 57: To see if the Town will vote to authorize borrowing by the Northborough-Southborough Regional School Committee, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), as amended, or for the Town of Southborough to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, their share of the sum of $503,160 for making extraordinary repairs, renovation and purchasing equipment of a capital nature at Algonquin Regional High School, or do or act anything in relation thereto. (Proposed by the Northborough-Southborough Regional School Committee)

MOTION MADE: That the Town approve the borrowing by the Northborough-Southborough Regional School District, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d) the borrowing and appropriation of the sum of $233,160 for making extraordinary repairs, renovation and purchasing equipment of a capital nature at Algonquin Regional High School.
MOTION (as stated above) PASSED BY A MAJORITY VOTE

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

ARTICLE 58: To see if the Town will vote to authorize borrowing by the Northborough-Southborough Regional School Committee, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), as amended, or for the Town of Southborough to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, their share of the sum of $19,800 for the Northborough-Southborough Regional School District's portion of the purchase of furniture and equipment for the Office of the Superintendent of Schools, or do or act anything in relation thereto. (Proposed by the Northborough-Southborough Regional School Committee)

MOTION MADE: That the Town approve the borrowing by the Northborough-Southborough Regional School District, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), of the sum of $19,800 for the purchase of furniture and equipment for the Office of the Superintendent of Schools.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 59: To see if the Town will vote to amend the Zoning Code of the Town of Southborough by changing the following described areas from Residence B District to Business Village District as follows:

> Land located on the north side of Route 9 and east of Pleasant Street, identified as Map 39, Parcels 11, 12, 13, 14 and Map 38, Parcel 76 of the Southborough Assessors' records, being 3.77 acres, more or less.

, or do or act anything in relation thereto. (Proposed by Marcella Mazzarelli et al)
MOTION TO INDEFINITELY POSTPONE ARTICLE 59 VOTED UNANIMOUSLY

MOTION TO BRING ARTICLE 65 FORWARD PASSED
ARTICLE 65: To see if the Town will vote to amend the existing Zoning Map of the Town of Southborough as follows: By removing the following from a Residence A (RA) District and establishing the same as a Industrial Park (IP) District.

METES AND BOUNDS DESCRIPTION

A certain parcel of land in the Commonwealth of Massachusetts, County of Worcester, Town of Southborough situated north of Gilmore Road and shown on a plan entitled "Plan Showing Proposed Rezoning in Southborough, MA," Scale 1" = 200'", dated December 1, 2000, prepared by Beals and Thomas, Inc. More particularly bounded and described as follows:

Beginning at the most southwesterly comer of said parcel, said point being N 37 24 31 W 891.30 feet from the intersection of the north side of Gilmore Road and the Southborough/Westborough town line, thence running;

N 37 24 31 W	1567.58 feet by said town line to a point, said last course being bounded inpart by land now or formerly Trustees of Park Central Realty Trust and in part by land now or formerly Thomas J. Flatley, thence turning and running;
N 77 05 51 E	117.78 feet to a point, thence turning and running;
N 70 01 15 E	59.45 feet to a point, thence turning and running;
N 86 51 08 E	104.48 feet to a point, thence turning and running;
S 00 43 09 E	72.14 feet to a point, thence turning and running;
N 88 17 22 E	181.58 feet to a point, thence turning and running;
N 50 36 31 E	356.80 feet to a point, thence turning and running;
S 72 42 08 E	313.60 feet to a point, thence turning and running;
S 00 05 40 E	453.66 feet to a point, thence turning and running;
N 89 07 29 E	165.48 feet to a point, said last ten courses being bounded by land now orformerly Charles Whittemore & Kathryn Whittemore, thence turning and running;
N 88 20 15 E	179.75 feet to a point, said last course being bounded by land formerly Warfield, thence turning thence turning and running;
S 21 30 53 E	138.71 feet to a point, thence turning thence turning and running;
N 88 54 14 E	92.40 feet to a point, thence turning and running;
S 83 51 45 E	157.07 feet to a point, thence turning and running;
S 84 39 22 E	315.43 feet to a point, said last four courses being bounded by land now orformerly Garabedian, thence turning and running;
S 05 00 33 W	665.52 feet to a point, thence turning and running;

S 84 44 32 W 1083.69 feet to the point of beginning, said last two courses being on land now or formerly Trustees of Park Central Realty Trust.

Containing 1,637,954 square feet more or less, or 37.60 acres, more or less.

, or do or act anything in relation thereto. (Proposed by the Trustees of Park Central)

MOTION MADE: TO ACCEPT ARTICLE 65 AS PRINTED IN THE WARRANT.

THIS REQUIRES A 2/3 VOTE

MOTION (as stated above) **VOTED UNANIMOUSLY**

Approved by the Attorney General on July 2, 2001.

MOTION TO BRING ARTICLES 68, 69, 70 FORWARD

MOTION VOTED UNANIMOUSLY

ARTICLE 68: To see if the Town will vote to accept as a public way Vale Terrace described on a plan entitled "Plan of Acceptance of Vale Terrace, Southborough, Mass." prepared by MetroWest Engineering, Inc., dated October 11, 1996, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Vale Terrace described on a plan entitled "Plan of Acceptance of Vale Terrace, Southborough, Mass." prepared by MetroWest Engineering, Inc., dated October 11, 1996.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 69: To see if the Town will vote to accept as a public way Killam Farm Lane described on a plan entitled "Roadway Acceptance Plan, Killam Farm Lane in Southborough, Massachusetts" prepared by Sullivan, Connors & Associates, dated September 25, 2000, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Killam Farm Road described on a plan entitled "Roadway Acceptance Plan, Killam Farm Road in Southborough, Massachusetts," prepared by Sullivan, Connors & Associates, dated September 25, 2000.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 70: To see if the Town will vote to accept as a public way Hubley Lane described on a plan entitled "Road Acceptance Plan of Hubley Lane in Southborough, Mass." Prepared by MetroWest Engineering, Inc., dated February 14, 2001, or do or act anything in relation thereto. (Proposed by the Planning Board)
MOTION MADE: That the Town accept as a public way Hubley Lane described on a plan entitled "Road Acceptance Plan of Hubley Lane in Southborough, Mass." prepared by MetroWest Engineering, Inc. dated February 14, 2001.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

ARTICLE 60: To see if the town will vote to amend the Zoning Code of the Town of Southborough, Article III, Use Regulations, Section 174-8.2 - Residence A District, Paragraph A. (8) to read "Construction of private garage or private parking for not more than three (3) vehicles. One vehicle may be a truck or other commercial vehicle." And to further amend Section 174-8.2, Paragraph B. (12) to read "Private garage or parking for more than three (3) vehicles."

, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Article III, Use Regulations, Section 174-8.2 – Residence A District, Paragraph A. (8) to read:

> "Construction of private garage or private parking for not more than three (3) vehicles. One vehicle may be a truck or other commercial vehicle."

And to further amend Section 174-8.2, Paragraph B. (12) to read:

> "Private garage or parking for more than three (3) vehicles."

MOTION MADE: TO INDEFINITELY POSTPONE ARTICLE 60 VOTED UNANIMOUSLY

ARTICLE 61: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Article III, Use Regulations, Section 174-8.2 - Residence A District, Paragraph D. (4) to read; "Maximum height: thirty-five (35) feet, two and one-half (2 ½) stories [seventeen (17) feet, one (1) story for accessory buildings].
, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE TO INDEFINITELY POSTPONE ARTICLE 61
MOTION TO INDEFINITELY POSTPONE ARTICLE 61 PASSED UNANIMOUS

MOTION TO MOVE ARTICLE 64 FORWARD
MOTION TO MOVE ARTICE 64 FORWARD PASSED UNANIMOUS

ARTICLE 64: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Article III, Use Regulations, Section 174-13 - **Landscaping,** as follows:

A. Purpose and Applicability

(l) Purpose - The purpose of this section is to improve the appearance, environment, character, and value of the total community; and to protect nearby properties, thereby promoting the general welfare.

(2) Applicability - Street, side line, vehicular use area and district boundary plantings and screening shall be provided as specified below when any new building, addition or change of use requires a parking increase of five (5) or more spaces. In performing site plan review under §174-10, the Planning Board may reduce or waive the requirements of this section, if in their judgment, strict compliance would be unreasonable due to existing site conditions.

(3) Exceptions - The requirements of this section do not apply to developments or renovations in the Business Village District. A landscape plan shall be submitted as part of each site plan or Special Permit Application in the Business Village District, with a written explanation of how the landscaping (or lack thereof) is in the best interest of retaining the character of the Village District.

B. Unchanged

C. Street planting area. Street planting is required for all nonresidential premises. A landscaped buffer strip shall be a minimum of fifteen (15) feet in depth. Also refer to subsection G. Existing vegetation.

D. Side and rear line planting area. A landscape buffer strip a minimum of ten (10) feet in width shall abut all side and ear property lines.

E. Unchanged

F. District boundary planting area. A landscaped buffer strip, a minimum of twenty (20) feet in width is required on any nonresidential premises along the full length of any boundary abutting property that is residentially used or zoned except that in the Industrial Park District (IP) the buffer strip shall be a minimum of fifty (50) feet in width. The buffer strip shall contain existing vegetation and/or plantings that are sufficiently dense in the opinion of the Planning Board to adequately screen adjacent residential properties.

G. - K. Unchanged

, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Article III, Use Regulations, Section 174-13 – Landscaping to read:

A. Purpose and Applicability

(l) Purpose - The purpose of this section is to improve the appearance, environment, character, and value of the total community; and to protect nearby properties, thereby promoting the general welfare.

(2) Applicability - Street, side line, vehicular use area and district boundary plantings and screening shall be provided as specified below when any new building, addition or change of use requires a parking increase of five (5) or more spaces. In performing site plan review under

§174-10, the Planning Board may reduce or waive the requirements of this section, if in their judgment, strict compliance would be unreasonable due to existing site conditions.

(3) Exceptions - The requirements of this section do not apply to developments or renovations in the Business Village District. A landscape plan shall be submitted as part of each site plan or Special Permit Application in the Business Village District, with a written explanation of how the landscaping (or lack thereof) is in the best interest of retaining the character of the Village District.

B. Unchanged

C. Street planting area. Street planting is required for all nonresidential premises. A landscaped buffer strip shall be a minimum of fifteen (15) feet in depth. Also refer to subsection G. Existing vegetation.

D. Side and rear line planting area. A landscape buffer strip a minimum of ten (10) feet in width shall abut all side and rear property lines.

E. Unchanged

F. District boundary planting area. A landscaped buffer strip, a minimum of twenty (20) feet in width is required on any nonresidential premises along the full length of any boundary abutting property that is residentially used or zoned except that in the Industrial Park District (IP) the buffer strip shall be a minimum of fifty (50) feet in width. The buffer strip shall contain existing vegetation and/or plantings that are sufficiently dense in the opinion of the Planning Board to adequately screen adjacent residential properties.

G. - K. Unchanged
, or do or act anything in relation thereto. (Proposed by the Planning Board)

NEED 2/3 VOTE
VOTED MADE (as stated in the above article) VOTED UNANIMOUSLY

Approved by the Attorney General on July 2, 2001.

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

ARTICLE 62: To see if the Town will vote to amend the code of the Town of Southborough Article III, Section 174-8.2; Residence A District; Paragraph D. (5) to read: Maximum floor area ratio: fifteen-hundredths (.15).
, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: TO INDEFINITELY POSTPONE ARTICLE 62 VOTED BY A MAJORITY

ARTICLE 63: To see if the Town will vote to amend the code of the Town of Southborough Article III, Section 174-8.3; Residence B District; Paragraph D. (5) to read: Maximum floor area ratio: eighteen-hundredths (.18), and Paragraph E. (5) to read: Maximum floor area ratio: twenty-hundredths (.20).

, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: TO INDEFINITELY POSTPONE ARTICLE 63 VOTED UNANIMOUSLY

ARTICLE 66: To see if the Town will vote to amend the existing Zoning Map of the Town of Southborough as follows: By removing the following from a Residence A (RA) District and establishing the same as a Industrial Park (IP) District.

METES AND BOUNDS DESCRIPTION

A certain parcel of land in the Commonwealth of Massachusetts, County of Worcester, Town of Southborough situated south of Route 9 and shown on a plan entitled "Plan Showing Proposed Rezoning in Southborough, MA," Scale 1" = 200'", dated December 1, 200O, prepared by Beals and Thomas, Inc. More particularly bounded and described as follows:

Beginning at the intersection of the existing zone line and land now or formerly Peter G. & Betty Jo Dowd, said point being S 00 35 18 W 1173.67 feet from the intersection of the existing zone line and southerly side line of Route 9, thence running;

S 25 14 42 E	1101.97 feet to a point, thence turning and running;
S 32 4122 W	795.70 feet to a point, said last two courses being on land now or formerly EMC Corporation, thence turning and running;
S 11 48 56 W	294.39 feet to a point, said last course being bounded by land now or formerly Amir Eldad, thence turning and running;
N 00 35 16 E	1954.65 feet to the point of beginning, said last course being on land now or formerly EMC Corporation.

Containing 427,555 square feet more or less, or 9.815 acres, more or less.

, or do or act anything in relation thereto. (Proposed by EMC Corporation)

MOTION MADE: TO INDEFINITELY POSTPONE ARTICLE 66 VOTED UNANIMOUSLY

ARTICLE 67: To see if the Town will vote to accept as a public way Brookside Road described on a plan entitled "Acceptance plan of Brookside Road in Southborough, MA" by Engineering Design Consultants, Inc. dated January 23, 2001, or do or act anything in relation thereto. (Proposed by Irene B. & Richard F. Tibert and eighteen others)

MOTION MADE: TO INDEFINITELY POSTPONE ARTICLE 67 VOTED UNANIMOUSLY

ANNUAL TOWN MEETING
MONDAY, APRIL 9, 2001
ADJOURNED SESSION
TUESDAY, APRIL 10, 2001

ARTICLE 72: To see if the Town will authorize the Board of Assessors to use free cash in the Town treasury, and if so, what sum for the purpose of reducing the amount to be raised and appropriated and assessed as taxes in the fiscal year beginning July 1, 2001 and ending June 30, 2002, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE TO INDEFINITELY POSTPONE ARTICLE 72 VOTED UNANIMOUSLY

At 11:28 PM on Tuesday April 10, 2001 a motion to dissolve the Annual Town Meeting of April 9, 2001 and the Adjourned Session of Tuesday April 10, 2001 was passed unanimously.

A true copy:
Attest: Paul J. Berry
Paul J. Berry, Town Clerk

SPECIAL TOWN MEETING
MONDAY, APRIL 30, 2001

At the Special Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 30, 2001 at 7:00 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum, 301Voters were present).

Checkers:	Lidia Kiley	Lois Denman
	Bonnie Phaneuf	Janet ME Mattioli

The Meeting was called to order at 7:35PM by the Town Moderator, John H. Wilson.

The following Tellers were appointed by Moderator Wilson and sworn-in by Town Clerk Paul J. Berry:

Charles Aspesi
James B. Denman
Donald McLung
Chris Spellman

Moderator Wilson had requests from the following non-voters to attend the Special Town Meeting:

Tara M. Ward, Assistant Town Clerk, Southborough, MA
Vanessa Hale, Administrative Assistant for the Board of Selectmen in Southborough, MA
Robert C. Melican, Superintendent of Schools
Bradford Jackson, Assistant Superintendent of Schools
Gene Raymond, Architect for Stekalovsky & Holt

There being no objections from the floor, it was VOTED to allow the above non-voters to remain.

The boundaries of the gymnasium were outlined by the Moderator to include all of the floor area.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

The Colors were presented by Girl Scout Troop 2796 from Southborough, MA. The following Girl Scouts participated: Lana Atamiano, Kia J. Carlson, Amanda Johnson, Laura Joyce, and Jackie Muggeridge.

Moderator John H. Wilson explained the rules of Town Meeting. Seven (7) Voters can question the moderator's call of a vote.

It was **VOTED UNANIMOUSLY** to waive the reading of the Special Town Meeting Warrant.

ARTICLE 1: To see if the Town will vote to amend the motion for Article 3 of the Special Town Meeting of November 13, 2000 as follows:

1. Delete the words, "for constructing, originally equipping and furnishing an addition or additions to the Margaret A. Neary School including the payment of all costs incidental and related thereto: for remodeling, reconstructing or making extraordinary repairs to the present Margaret A Neary School, including the payment of all costs incidental and related thereto,"

2. And delete the words, "for constructing, originally equipping and furnishing an addition or additions to the Albert S. Woodward School including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Albert S. Woodward School including the payment of all costs incidental and related thereto" and insert the words " for demolishing the existing Woodward School and constructing, originally equipping

and furnishing a new school including the payment of all costs incidental and related thereto," so that it reads as follows:

That the sum of $21,211,676 is hereby borrowed and appropriated for constructing, originally equipping and furnishing an addition or additions to the Mary Finn School, including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Mary Finn School including the payments of all costs incidental and related thereto; for constructing, originally equipping and furnishing an addition or additions to the P. Brent Trottier Middle School including the payment of all costs incidental and related thereto, for remodeling, reconstructing or making extraordinary repairs to the present P. Brent Trottier Middle School including the payment of all costs incidental and related thereto, for demolishing the existing Woodward School and constructing, originally equipping and furnishing a new school including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with approval of the Board of Selectman, is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7 (3) and (3A) and Chapter 70B, of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town. (*Proposed by the K-8 Temporary School Building Planning Committee and the Southborough School Committee)*

[This article would reduce the scope of the school building projects voted at the Special Town Meeting on November 13, 2000 to keep project costs within the $21,211,676 voted by the Town. The scope would include the addition to P. Brent Middle Trottier Middle School, additional funding for the Mary Finn School addition approved at the April 1, 2000 STM, and for reconstructing the Woodward School by means of new build. The grade configuration planned for this option is Mary Finn School grades Pre-K and K-1, Albert S. Woodward School grades 2-3, Margaret Neary School grades 4-5, and P. Brent Middle Trottier Middle School grades 6-8.]

MOTION MADE: That the Town vote to amend the motion for Article 3 of the Special Town Meeting of November 13, 2000 and replace it with the following:

1. Delete the words, "for constructing, originally equipping and furnishing an addition or additions to the Margaret A. Neary School including the payment of all costs incidental and related thereto: for remodeling, reconstructing or making extraordinary repairs to the present Margaret A. Neary School, including the payment of all costs incidental and related thereto,"
2. And delete the words, "for constructing, originally equipping and furnishing an addition or additions to the Albert S. Woodward School including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Albert S. Woodward School including the payment of all costs incidental and related thereto" and insert the words "for demolishing the existing Woodward School and constructing, originally equipping and furnishing a new school including the payment of all costs incidental and related thereto, " so that it reads as follows:

That the sum of $21,211,676 is hereby borrowed and appropriated for constructing, originally equipping and furnishing an addition or additions to the Mary Finn School, including the payment of all costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Mary Finn School including the payments or all costs incidental and related thereto; for constructing, originally equipping and furnishing an addition or additions to the P. Brent Trottier Middle School including the payment of all costs incidental and related thereto, for remodeling, reconstructing or making extraordinary repairs to the present P. Brent Trottier Middle School including the payment of all costs incidental and related thereto, for demolishing the existing Woodward School and constructing, originally equipping and furnishing a new school including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with approval of the Board of Selectman, is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7 (3) and (3A) and Chapter 70B, of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore; provided, however, that no funds shall be borrowed or expended hereunder, unless and until the Town shall have voted to exclude the amounts necessary to repay any bonds or notes issued hereunder from the limitations imposed by Chapter 59, Section 21C of the General Laws, also known as Proposition 2 ½.

SPECIAL TOWN MEETING
MONDAY, APRIL 30, 2001

At 7:52 PM, the Temporary School Building Planning Committee made a slide presentation. After the slide presentation, the Advisory Committee voiced its support of Article 1, as did the Board of Selectmen.

MOTION MADE: TO MOVE THE QUESTION
2/3 VOTE NEEDED TO MOVE THE QUESTION
PASSED UNANIMOUSLY

2/3 VOTE IS NEEDED FOR THIS ARTICLE

214 YES 25 NO
MOTION CARRIES

ARTICLE 2: To see if the Town will vote to raise and appropriate, transfer from available funds and appropriate, or borrow and appropriate, a sum of money for architectural design services for K-8 schools, or do or act anything in relation thereto. (*Proposed by the K-8 Temporary School Building Planning Committee and the Southborough School Committee)*

[If Article 1 does not pass, this article would provide funding for architectural design fees that have been incurred since the November Special Town Meeting and December Special Election.]

MOTION TO INDEFINITELY POSTPONE ARTICLE 2 VOTED UNANIMOUSLY

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate or borrow and appropriate $440,600 for constructing, originally equipping and furnishing an addition or additions to the Mary Finn School including costs incidental and related thereto; for remodeling, reconstructing or making extraordinary repairs to the present Mary Finn School including costs incidental and related thereto. (Proposed by the K-8 Temporary School Building Planning Committee and the Southborough School Committee)

[If Article 1 does not pass, this article would provide the additional funding necessary for the Mary Finn School addition approved at the April 1, 2000 STM.]

MOTION TO INDEFINITELY POSTPONE ARTICLE 3 VOTED UNANIMOUSLY

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds and appropriate, or borrow and appropriate, a sum of money for architectural design services for the K-8 Temporary School Building Planning Committee to present proposals to an annual or Special Town Meeting to accommodate the needs of the Southborough Schools K-8, including costs and benefits associated with renovation, addition, and new construction, or do or act anything in relation thereto, and that to meet this appropriation, the Treasurer, with approval of the Board of Selectman, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7 (3) and (3A) and Chapter 70B, of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore; provided, however, that no funds shall be borrowed or expended hereunder, unless and until the Town shall have voted to exclude the amounts necessary to repay any bonds or notes issued hereunder from the limitations imposed by Chapter 59, Section 21C of the General Laws, also known as Proposition 2 1/2. (Proposed by the K-8 Temporary School Building Planning Committee and the Southborough School Committee.)

[If Article 1 does not pass, this article would provide funding for the K-8 Temporary Building Planning Committee to hire an architect and redesign options for presentation to a future Annual or Special Town Meeting.]

MOTION TO INDEFINITELY POSTPONE ARTICLE 4 VOTED UNANIMOUSLY

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds and appropriate, or borrow and appropriate, a sum of money for construction management services for K-8 schools, or do or act anything in relation thereto, and that to meet this appropriation, the Treasurer,

SPECIAL TOWN MEETING
MONDAY, APRIL 30, 2001

with approval of the Board of Selectman, is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7 (3) and (3A) and Chapter 70B, of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore; provided, however, that no funds shall be borrowed or expended hereunder, unless and until the Town shall have voted to exclude the amounts necessary to repay any bonds or notes issued hereunder from the limitations imposed by Chapter 59, Section 21C of the General Laws, also known as Proposition 2 ½. (*Proposed by the K-8 Temporary School Building Planning Committee and the Southborough School Committee)*

[This article would provide additional funding, if necessary, for the projects passed in **Article 1, and/or Article 3** to hire a construction management firm to assist the School Building Committee in overseeing the K-8 school building projects.]

MOTION TO INDEFINITELY POSTPONE ARTICLE 5 VOTED UNANIMOUSLY

At 9:45 PM on Monday, April 30, 2001 it was MOVED and UNANIMOUSLY VOTED to DISSOLVE the SPECIAL TOWN MEETING OF APRIL 30, 2001.

A true Copy:
Attest: ____________________________
PAUL J. BERRY, TOWN CLERK

SPECIAL TOWN MEETING
SATURDAY, NOVEMBER 10, 2001

At the Special Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Saturday, November 10, 2001 at 9:00 AM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum, 1361 Voters were present).

Checkers:
Gail B. Rowe
Vernelle Cibelli
Linda Hubley
Carolyn Ostresh
Robert Spayne
Lena Carloni
Janet ME Mattioli
Jennifer Juliano
Theresa Prosperi
Alphonsina Torcoletti
Lois Denman
Alice Brenda Gaffney
Eleanor MacLauchlin
Ann Sarkis

The Town Moderator, John H. Wilson, called the Meeting to order at 9:50 AM.

The following Tellers were appointed by Moderator Wilson and sworn-in by Town Clerk Paul J. Berry:

Edward Maloney
Donnalee Sergi
Anthony William Rea II
Thomas Bacon
Sally Watters
Thomas McAuliffe
Daniel F. McCarthy
Charles R. O'Connell
Barbara Connors
Wayne Thies
Stephen A. Morreale
Donald C. Morris

Richard F. Connors, Assistant Town Moderator

Moderator Wilson had requests from the following non-voters to attend the Special Town Meeting:

Tara M. Ward, Assistant Town Clerk, Southborough, MA
Robert C. Melican, Superintendent of Schools
Bradford Jackson, Assistant Superintendent of Schools
State Representative Paul J.P. Loscocco
State Representative Steve LeDuc
Shirley Lundberg, Northbrough-Southborough Regional School District Committee
David Crowley, Northborough
Jon Phelps, Video Camera Operator
Jennifer Kavanaugh, MetroWest Daily News
Marshall Wolff, MetroWest Daily News
Jackie Reis, Telegram & Gazette

There being no objections from the floor, it was VOTED to allow the above non-voters to remain.

The boundaries of the gymnasium were outlined by the Moderator to include all of the floor area and the bleachers.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

It was **VOTED UNANIMOUSLY** to waive the reading of the Special Town Meeting Warrant.

An Accommodation was given to Suellen Wrenn to acknowledge her 21 years as a Swimming Teacher. Ms. Wrenn is retiring this year.

ARTICLE 1: To see if the Town will vote to raise and appropriate, borrow and appropriate, or transfer from available funds $525,000 for the purpose of implementing a Geographic Information System, or do or act anything in relation thereto. (Proposed by the Board of Selectmen, Board of Assessors, Building Inspector, Conservation Commission, DPW Superintendent, Fire Chief, Planning Board, Police Chief, Recreation Commission.)

MOTION MADE: That the Town transfer One hundred thousand dollars ($100,000) from the Water Reserve fund in order to implement Phase I of a Geographic Information System (GIS), a Town computer system to be used by all agencies capable of assembling, storing, manipulating and displaying map-based information including but not limited to information about the town's buildings, streets and infrastructure, Zoning Districts, sewage systems, location of homes and businesses, traffic data, conservation and wetlands, data for emergency incidents so that the town government can obtain the important necessary information as efficiently as possible to respond to police, fire and medical emergencies, respond to EPA and other mandated mapping requirements and comply with requests for public records.

MOTION CARRIES BY A MAJORITY VOTE

ARTICLE 2: To see if the Town will vote to raise and appropriate, transfer from available funds and appropriate, or borrow and appropriate, a sum of money to purchase 2 East Main Street, or do or act anything in relation thereto. (Proposed by the Board of Selectmen.)

MOTION MADE: To indefinitely postpone Article 2.
VOTED UNANIMOUSLY TO INDEFINITELY POSTPONE ARTICLE 2.

ARTICLE 3: To amend ARTICLE 2 of the ANNUAL TOWN MEETING, Monday, April 13, 1998:

> "To see if the Town will authorize the borrowing of $5,000,000 for the purpose of purchasing real property, provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at the town election."

And substitute the following:

To see if the Town will authorize the borrowing of $5,000,000 for the purpose of purchasing real property for the sole or exclusive use of open space, conservation land, or land subject to conservation restrictions so that it can only be used for conservation purposes: provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election, or do or act anything in relation thereto. (Proposed by Mark Davis and 142 others.)

MOTION MADE: That the Town vote to amend ARTICLE 2 of the ANNUAL TOWN MEETING, Monday, April 13, 1998 by deleting:

"the borrowing of $5,000,000 for the purpose of purchasing real property"

And inserting:

"the borrowing of the balance of five million dollars ($5,000,000) four million seven hundred sixty thousand ($4,760,000) for the purpose of purchasing real property for the sole or exclusive use of open space, conservation land, or land subject to conservation restrictions so that it can only be used for conservation purposes."

Motion to move the question passed by a majority vote.

458 in FAVOR
343 OPPOSED
Motion PASSED BY A MAJORITY

ARTICLE 4: To see if the Town will vote to establish a committee to negotiate the terms of the dissolution of the Northborough-Southborough Regional School District, which Committee would also be responsible for developing a plan to operate a kindergarten-grade twelve school system within the Town, negotiating a dissolution plan that is acceptable to both Northborough and Southborough and winning state approval and/or special provisions in the School Building Assistance Program that are advantageous to the Town, to determine whether the Town will appropriate a sum of money to meet the expenses of this Committee, or take any other action relative thereto. (Proposed by the Board of Selectmen at the request of the Northborough-Southborough Regional District School Committee.)

MOTION MADE: That the Town vote to establish a committee to negotiate the terms of the dissolution of the Northborough-Southborough Regional School District, which Committee would also be responsible for developing a plan to operate a kindergarten-grade twelve school system within the Town, negotiating a dissolution plan that is acceptable to both Northborough and Southborough and winning state approval and/or special provisions in the School Building Assistance Program that are advantageous to the Town, to determine whether the Town will appropriate a sum of money to meet the expenses of this Committee.

MOTION MADE: To discuss Articles 4, 5, 6, 7, 8, 9, 10 jointly for the purpose of discussion PASSED by a MAJORITY VOTE.

MOTION MADE: To bring Article 7 forward.
MOTION VOTED BY A MAJORITY VOTE.

ARTICLE 7: To see if the Town will vote to approve the borrowing of Fifty-nine million two hundred and one thousand one hundred dollars ($59,201,100) by the Northborough-Southborough Regional District Committee, as approved by the District School Committee in accordance with the provisions of Massachusetts General Laws, Chapter 71, Section 16(d), for the purpose of financing costs of adding to, remodeling, reconstructing, making extraordinary repairs, equipping and furnishing the existing Algonquin Regional High School, including all other costs incidental and related thereto, provided, however, that no sums for this purpose shall be borrowed or expended hereunder unless and until each of the Member Towns of the District shall have voted to exclude its respective share of debt service on bonds or notes issued for this project from the limitations imposed by Chapter 59, Section 21C of the General Laws. (Proposition 2 ½). (Proposed by Northborough-Southborough Regional School District Committee.)

MOTION MADE: That the Town approve the borrowing of Fifty-nine million two hundred and one thousand one hundred dollars ($59,201,100) by the Northborough-Southborough Regional District Committee, as approved by the District School Committee in accordance with the provisions of Massachusetts General Laws, Chapter 71, Section 16(d), for the purpose of financing costs of adding to, remodeling, reconstructing, making extraordinary repairs, equipping and furnishing the existing Algonquin Regional High School, including all other costs incidental and related thereto, provided, however, that no sums for this purpose shall be borrowed or expended hereunder unless and until each of the Member Towns of the District shall have voted to exclude its respective share of debt service on bonds or notes issued for this project from the limitations imposed by Chapter 59, Section 21C of the General Laws.

MOTION CARRIES
688 IN FAVOR
412 OPPOSED

VOTED BY A MAJORITY TO BRING ARTICLE 4 BACK TO THE FLOOR.

MOTION MADE: To Indefinitely Postpone Article 4.

MOTION MADE: TO AMEND ARTICLE 4.
AMENDMENT STATES: Contingent upon failure of future town meetings or special elections.
AMENDMENT DEFEATED BY A MAJORITY VOTE.

MOTION TO INDEFINITELY POSTPONE ARTICLE 4 PASSED BY A MAJORITY VOTE.

MOTION MADE: TO RECONSIDER ARTICLE 7 (This requires a 2/3 VOTE)
MOTION FAILS YES 5 NO 25

ARTICLE 5: To see if the Town will vote to request the Regional District School Committee of the Northborough-Southborough Regional School District (the "District") to authorize the borrowing of money in order to construct a new high school in Southborough, which project would involve, among other things, either the substantial amendment of the District's Agreement to alter the capital cost allocation provisions of the District's Agreement to require each town to pay for the school construction in their town and to provide that no "buy-out" of Southborough's share of the District's high school building would need to be made by Northborough, and/or ultimately the dissolution of the District, or take any other action relative thereto. (Proposed by the Board of Selectmen at the request of the Northborough-Southborough Regional School District Committee.)

MOTION MADE: To INDEFINITELY POSTPONE ARTICLE 5.
MOTION CARRIES BY A MAJORITY VOTE.

ARTICLE 6: To see if the Town will vote to request the Regional District School Committee of the Northborough-Southborough Regional School District (the "District") to authorize a borrowing in order to construct a new regional high school on the current site in Northborough, including all other costs incidental and related thereto, provided, however, that no sums for this purpose shall be borrowed or expended hereunder unless and until each of the Member Towns of the District shall have voted to exclude its respective share of debt service on bonds or notes issued for this project from the limitations imposed by Chapter 59, Section 21C of the General Laws (Proposition 2 ½). (Proposed by the Board of Selectmen.)

MOTION MADE: To INDEFINITELY POSTPONE ARTICLE 6.
MOTION CARRIES BY A MAJORITY VOTE.

ARTICLE 8: To see if the Town of Southborough will vote to amend the Regional School Agreement to provide that there shall be two schools within the Region, one in each town, and each Town shall pay for, own, and maintain the land and building in that Town, as well as pay for the operating costs for that school, and to provide such terms as are necessary or desirable to effect this, or do or act anything in relation thereto. (Proposed by Kelly Roney and 148 others.)

MOTION MADE: To INDEFINITELY POSTPONE ARTICLE 8.
MOTION CARRIES BY A MAJORITY VOTE.

ARTICLE 9: To see if the Town of Southborough will vote to create a Building Committee consisting of seven members, residents of the Town. Three appointed by the Board of Selectmen, two by the Regional School Committee, and two by the Southborough School Committee. Such Building Committee shall plan the construction of a high school within the Town and shall present to Southborough Town Meeting such funding proposals as are necessary to effect it, or do or act anything in relation thereto. (Proposed by Kelly Roney and 148 others.)

MOTION MADE: To INDEFINITELY POSTPONE ARTICLE 9.
MOTION CARRIES BY A MAJORITY VOTE.

ARTICLE 10: To see if the Town of Southborough will vote to authorize the Board of Selectmen to select and acquire a parcel, or parcels, of land for the purpose of sitting a 700 student high school within the Town, such as acquisition subject to funding and approval by the voters at a Special or Annual Southborough Town Meeting, or do or act anything in relation thereto. (Proposed by Kelly Roney and 148 others.)

MOTION MADE: To INDEFINITELY POSTPONE ARTICLE 10.
MOTION CARRIES BY A MAJORITY VOTE.

MOTION MADE: To DISSOLVE the Special Town Meeting of November 10, 2001.
MOTION CARRIES

THE SPECIAL TOWN MEETING OF SATURDAY NOVEMBER 10, 2001 was DISSOLVED AT 2:17 PM.

A true copy: Paul J. Berry
Attest: ______________________
Paul J. Berry, Town Clerk

ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

At the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 8, 2002 at 7:00 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 267 Voters were present.

Checkers:
Lois Denman
Alice Gaffney
Linda Hubley
Jennifer Juliano
Josephine D. Laptewicz
Janet ME Mattioli
Gail B. Rowe

The following were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:
Tellers:
Charles P. Aspesi
Paul M. Cimino
Kevin M. Farrington
Charles G. Ellis, Jr.
Edward Kofron
Jeremiah D. McGillicuddy
Patricia Richardson
Stephen W. Whynot

The Town Moderator, John H. Wilson, called the meeting to order at **7:46 PM**.

The Colors were presented by Junior Girl Scout Troop 2781. Presenting were:
Lauren Bowker
Elisabeth Carter
Elizabeth Hegarty
Heyley Morse
Jillian Pelligrini
Caitlin Rennell

A moment of silence was held in memory of those persons who have served the Town in the past:
Lena Baldelli
Angelo Bertonazzi
Joseph (Billy) Bertonazzi
Jeannette Curtin
Joseph Dicenzo
Leonard Gorman
Francis (Peter) Howes
Alice Tomasetti

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting:
Gene Carlo, Assabet Valley Superintendent/Director
Barry Flynn, Legislative Aide to Rep. Loscocco
Charles E. Gobron, Director of Curriculum/Instruction
Vanessa D. Hale, Assistant Town Administrator
Bradford Jackson, Assistant Superintendent of Schools
Jen Kavanaugh, MetroWest Daily News
Alex Keefe, Troop 92 Boy Scout
Daniel M. Keyes, Treasurer/Collector
John Kustigian, Assabet Valley Business Manager
Pam LeFrancois, Senior Center Director
Rep. Paul J. P. Loscocco, State Representative
John D. Mauro, Jr., Fire Chief
Robert E. Melican, Superintendent of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Paul C. Pisinski, Public Health Director
Victor G. Robidoux, Fire Lt.
Laurie Sugarman-Whittier, Director of Youth and Family Services

There being no objections from the floor, it was voted to allow the above non-voters to remain.

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Annual Town Meeting by the Constable.

MOTION MADE: to waive the reading of the Annual Town Meeting Warrant.

MOTION CARRIED UNANIMOUSLY

ARTICLE 1: To hear reports of the various Town Officers and Committees and to take such action thereon as the Town may vote. (Proposed by the Board of Selectmen)

MOTION MADE: that the Town hear reports of the various Town Officers and Committees.

MOTION CARRIED UNANIMOUSLY

At 8:13 PM it was voted unanimously to temporarily adjourn the Annual Town Meeting until the completion of the Special Town Meeting.

SPECIAL TOWN MEETING
MONDAY, APRIL 8, 2002

At the Special Town Meeting duly called and held in the P.Brent Trottier Middle School, Southborough, MA on Monday, April 8, 2002, at 8:14PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum) 267 Voters were present.

Checkers:
Lois Denman
Alice Gaffney
Linda Hubley
Jennifer Juliano
Josephine D. Laptewicz
Janet ME Mattioli
Gail B. Rowe

The following were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:
Charles P. Aspesi
Paul M. Cimino
Kevin M. Farrington
Charles G. Ellis, Jr.
Edward Kofron
Jeremiah D. McGillicuddy
Patricia Richardson
Stephen W. Whynot

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting:

Gene Carlo, Assabet Valley Superintendent/Director
Barry Flynn, Legislative Aide to Rep. Loscocco
Charles E. Gobron, Director of Curriculum/Instruction
Vanessa D. Hale, Assistant Town Administrator
Bradford Jackson, Assistant Superintendent of Schools
Jen Kavanaugh, MetroWest Daily News
Alex Keefe, Troop 92 Boy Scout
Daniel M. Keyes, Treasurer/Collector
John Kustigian, Assabet Valley Business Manager
Pam LeFrancois, Senior Center Director
Rep. Paul J. P. Loscocco, State Representative
John D. Mauro, Jr., Fire Chief
Robert E. Melican, Superintendent of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Paul C. Pisinski, Public Health Director
Victor G. Robidoux, Fire Lt.
Laurie Sugarman-Whittier, Director of Youth and Family Services

There being no objections from the floor, it was voted to allow the above non-voters to remain.

SPECIAL TOWN MEETING
MONDAY, APRIL 8, 2002

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

It was voted unanimously to waive the reading of the Special Town Meeting Warrant.

ARTICLE 1: To see if the Town will vote to raise and appropriate, borrow and transfer from available funds and appropriate, a sum of money to add to the Police Department budgets for FY 01 for the purpose of funding the collective bargaining agreement between the Town and Local 167, Massachusetts Coalition of Police, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town fund the first year of the collective bargaining agreement between the Town and Local 167, Massachusetts Coalition of Police from the FY 02 budget voted at the April 7, 2001 Annual Town Meeting without appropriating or transferring additional new funds.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 2: To see if the Town will vote to raise and appropriate, borrow and transfer from available funds and appropriate, a sum of money to add to the Fire Department budget for FY 02 for the purpose of funding the collective bargaining agreement between the Town and Local 3129 of International Association of Firefighters, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That $14,833 of the Fire Department Fiscal Year 2002 budget be transferred from Free Cash.

AMENDMENT TO MOTION: MOTION TO COMBINE ARTICLE 2 AND ARTICLE 3 TO DISCUSS BOTH.
AMENDMENT TO MOTION (as stated above) **VOTED UNANIMOUSLY**
MOTION FOR ARTICLE 2 DEFEATED BY MAJORITY VOTE

ARTICLE 3: To see if the Town will vote to raise and appropriate, borrow and transfer from available funds and appropriate, a sum of money to add to the Fire Department budget for FY 03 for the purpose of funding the collective bargaining agreement between the Town and Local 3129 of International Association of Firefighters, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That $297,696 be raised and appropriated and added to the Fire Department budget for Fiscal Year 2003 for the purpose of funding the collective bargaining agreement between the Town and Local 3129 of the International Association of Firefighters and be contingent upon passage of a budget override by a majority vote at the Annual Town Election.

AMENDMENT TO MOTION: TO INDEFINITELY POSTPONE ARTICLE 3.
AMENDMENT VOTED UNANIMOUSLY TO POSTPONE ARTICLE 3 INDEFINITELY

IT WAS VOTED TO DISSOLVE SPECIAL TOWN MEETING AT **8:28PM**

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

At **8:29 PM** it was unanimously voted to resume the Annual Town Meeting of April 8, 2002.

ARTICLE 2: To see if the Town will vote to fix for the fiscal year beginning July 1, 2002 and ending June 30, 2003, the annual salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the General Laws, as amended:

Moderator	50.00	Assessors (3)	2,250.00
Town Clerk	25,000.00	School Committees (10)	500.00
Selectmen (3)	3,000.00	Board of Health (3)	450.00

, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town fix for the fiscal year beginning July 1, 2002 and ending June 30, 2003, the annual salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the General Laws, as amended:

Moderator	50.00	Assessors (3)	2,250.00
Town Clerk	25,000.00	School Committees (10)	500.00
Selectmen (3)	3,000.00	Board of Health (3)	450.00

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 3: To see if the Town will vote to accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town accept any sum of money from St.Mark's School, Fay School, Harvard Medical School New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 4: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2002 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2002 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 5: To hear the report of the Capital Budget Planning Committee, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town hear the report of the Capital Budget Planning Committee.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

ARTICLE 6: To see if the Town will vote to delete Personnel Salary Administration Plan and insert in its place the following:

SALARY ADMINISTRATION PLAN AND PERSONNEL BY-LAWS OF THE TOWN OF SOUTHBOROUGH

PREAMBLE

This by-law establishes a Salary Administration Plan for the Town of Southborough, which classifies the several position classifications in the Town services into groups, establishes salary schedules, establishes employee benefits and establishes a Personnel Board to administer the by-law and to represent the interest of both the taxpayers and the Town employees covered by the by-law.

The positions of all officers and employees in the service of the Town, whether full-time, part-time, temporary, seasonal, special, casual Civil Service or any other, other than those positions filled by popular election, those under the direction and control of the School Committee, and those encompassed in any officially recognized labor union and/or association, are hereby classified by titles in the groups listed in Schedule A, entitled "Classification Schedule," as set forth in Section 21 of the by-law.

The classification of positions which are subject to the Welfare Compensation Plan of the Commonwealth of Massachusetts and the scheduled rates therefor effective July 1, 1966 with subsequent amendments, if any, and the provisions of Section 47D of Chapter 31 of the General Laws relating to the application of rates set forth in the aforementioned Welfare Compensation Plan are hereby incorporated by reference.

SECTION 1. DEFINITIONS AND TERMS

As used in this by-law, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context or by the laws of the Commonwealth:

"Administrative Authority," the elected or appointed official or board having jurisdiction over a function or activity.

"Anniversary Year," is that year commencing on the first day of employment and terminating 365 days thereafter.

"Base Pay," is the compensation paid for the purposes of determining retirement credits and contributions for Town employees by the Town of Southborough.

> The Town shall contribute funds as required for each eligible employee in accordance with the procedures and formula established by the Worcester County Retirement Board and the by-laws of the Town of Southborough.
>
> Contributions shall be made by the Town for:
>
> 1. Wages earned during the first eight (8) hours worked in any one day. No contributions shall be made for hours worked in excess of 40 hours per week.
> 2. Any lump sum bonus which is guaranteed as outlined in the Salary Administration Plan and the Personnel By-Laws of the Town and any collective bargaining agreement in force. Examples of lump sum bonuses are longevity pay and educational bonuses.
> 3. Vacation pay except when paid in lieu of taking vacation.
> 4. Sick pay.

5. Holiday pay.

"Casual Position," a position calling for part-time employment, which service does not constitute continuous service; this service is rendered occasionally and without regularity according to the demand therefor.

"Civil Service Law," Chapter 31 of the General Laws of the Commonwealth as amended and all rules and regulations made thereunder; and any special law enacted by the General Court regulating the classification compensation and conditions of employment of officers and employees of the Town under Chapter 31.

"Class," a group of positions in the Town service sufficiently similar in respect to duties and responsibilities so that the same descriptive title may be used to designate each position allocated to the class, that the same qualifications shall be required of the incumbents, that the same tests of fitness may be used to choose qualified employees and that the same scale of compensation can be made to apply with equity.

"Classification Schedule," titles in Schedule A, B, C, and D of Section 21 of this by-law plus class specifications which are on file with the Personnel Board and which are hereby incorporated by reference.

"Compensation Grade," a range of salary or wage rates appearing in Schedule A, B, C, D and E.

"Continuous Full-Time Service," employment requiring a predetermined minimum work period and uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Continuous Employment," full-time or part-time employment uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Department," a functional unit of Town government composed of one or more employees.

"Department Head," the person appointed to be responsible for carrying out the duties of a Department.

"Employee," an employee retained in full-time employment.

"Full-Time Employment," employment for not less than 20 hours per week for fifty-two weeks per annum, minus legal holidays and authorized vacation leave, sick leave, bereavement leave, and other leaves of absence.

"Group," a group of classes appearing in Schedules A, B, C, D and E of Section 21.

"Increment," the dollar or percentage difference between step rates.

"Maximum Rate," the highest rate in a range which an Employee normally is entitled to attain.

"Minimum Rate," the rate in a range which is normally the hiring rate of a new employee.

"Part-Time Employee," an employee working in part-time employment.

"Part-Time Employment," employment for less than Full-Time Employment, as defined above.

[Personal Rate deleted]

"Position," an office or post of employment in the Town service with duties and responsibilities calling for the Full-Time or Part-Time employment of one person in the performance and exercise thereof, or more than one person sharing the same position.

"Position Class," same as "Class," (a class may include only one position, in which event it is defined as a "single position class").

"Promotion," a change from a position of lower class and compensation grade to a position with greater responsibilities in a higher class and compensation grade.

"Range," the dollar difference between minimum and maximum rates of the assigned grade.

"Rate," a sum of money designated as compensation for personal services on an hourly, weekly, monthly, annual or other basis.

"Salary Schedule," Schedule B of Section 21.

"Single Rate," a rate for specific position class which is not in a designated range.

"Special Position," a position calling for Part-Time employment which, although constituting continuous employment, is not rendered during prescribed working hours, daily, weekly, or annually, but is rendered as required according to the demands for such service.

"Step Rate," rate in a range of compensation grade.

"Temporary Employee," (1) an employee retained in a temporary position as defined herein; (2) any employee holding a temporary appointment under Civil Service Law who does not also have permanent status thereunder.

"Temporary Position," or "Seasonal Position," any position in the Town service which requires or is likely to require the service of one incumbent for a period not exceeding six calendar months, either on a Full-Time or Part-Time basis.

"Town," the Town of Southborough.

SECTION 2. TITLES OF POSITIONS

No persons shall be appointed, employed or paid as an employee in any position subject to the provisions of the Salary Administration Plan and Personnel By-Laws under any title other than those of the Classification Schedule, or under any title other than that of the job, the duties of which are actually performed. The job title in the Classification Schedule of the Plan shall be the official title for all purposes having to do with the position and shall be used to designate the position in all payrolls, budget estimates and official reports, and in every other connection involving personnel and fiscal processes.

SECTION 3. NEW OR CHANGED POSITIONS

Before a new position is established, or the duties of an existing position are so changed that a new level or work demand exists and in effect a new position is created, upon presentation of substantiating data satisfactory to the Personnel Board, the Board shall rate such new changed position and allocate it to its appropriate classification grade and establish the rate change therefor.

SECTION 4. RECLASSIFICATION OF EMPLOYEES

No position may be reclassified to a classification in another grade, either higher or lower, until the Personnel Board shall have determined such a reclassification will be consistent with the provisions of the Salary Administration Plan and Personnel By-Laws.

SECTION 5. JOB DESCRIPTIONS AND INTERPRETATIONS

The Personnel Board shall maintain written job descriptions of the position classes in the Classification Schedule of the Plan, each consisting of a statement describing the essential nature of the work and characteristics that distinguish the class from other classes. The Department Heads shall be required to retain current job descriptions and to submit revisions to the Personnel Board after review by the Board of Selectmen or their designated appointee or the appropriate Commissioners or Trustees. The description for any class shall not limit what the duties or responsibilities of any position shall be, or to modify or in any way affect the power of any administrative authority to appoint, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

SECTION 6. COMPENSATION

a. The weekly pay period shall begin at 12:01 a.m. Thursday and shall end at 12:00 a.m. the following Wednesday.

b. Employees subject to this Salary Administration Plan shall be paid time and one-half hours worked in the excess of eight (8) in a calendar day and/or 40 hours in one calendar week, provided such hours of work have been authorized by the Department Head.

In addition, all service outside of an employee's regularly scheduled tour of duty shall be at the overtime rate. Any employee who is recalled to duty hereunder shall be paid at the overtime rate for all such time and shall be guaranteed a minimum of two (2) hours overtime recall pay.

c. Exempt employees who are paid a weekly salary, as opposed to those non-exempt employees who are paid an hourly wage, shall not be paid for those hours worked in excess of the regular scheduled work week.

d. The Salary Schedule of the Salary Administration Plan and Personnel By-Laws set forth as Schedules A, B, C, and D of Section 21 of this by-law, shall consist of the maximum and minimum salaries, in the Classification Schedule. The salary grade shall be the salary range for all position classes allocated to that grade.

e. Amounts paid to employees in reimbursement for expenses incurred in the performance of their duties such as mileage, meals, lodging, dues or similar job-related expenses shall be paid in addition to their compensation. All such payments shall be made as other charges and expenses to the extent budgeted by each department, board or commission. The rate of reimbursement shall be based upon the actual documented expenditure made by the employee, or at rates established by the Internal Revenue Service, supported by that agency's requirements for documentation.

SECTION 7. ADJUSTMENT POLICIES

a. Every employee subject to this plan and who is in continuous Full-Time service of the Town, computed from the date of his/her latest employment, shall be eligible annually for consideration of a merit increase advance to the next higher step rate, one year from the date of his/her latest increase. Such increase is not to exceed one step rate in any single twelve month period until the maximum of the grade is obtained, subject to the approval of the Department Head, and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and the Personnel Board. An evaluation of the employee's performance, in format approved by the Personnel Board, must accompany a letter requesting a merit increase. The Employee shall appear before the Personnel Board prior to it acting on any request for a merit increase. Any employee denied such an increase has the right to appeal, in writing to the Personnel Board, which shall confer with the employee, the Department Head and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and shall decide the matter. The Personnel Board shall approve all adjustments, in advance.

b. **Regular Part-Time employees in Schedule C shall be eligible for consideration for merit increases within their grade (between 0 and 4%) one year from the date of their last increase.** Special, casual and other Part-Time personnel for whose positions there is a single rate established in Schedule D of Section 21, shall not be eligible for step rate increases.

SECTION 8. TRANSFERS AND PROMOTIONS

a. An employee who is promoted to a job with a higher rate range, or rate of pay shall enter it at the rate recommended by the Department Head with the approval of the Personnel Board, but in no event at a rate in excess of the maximum for such job. The employee may also receive at the time a one step rate increase, provided the maximum for the job is not exceeded, if the Department Head recommends that qualifications and performance warrant it and the Personnel Board approves. If the Department Head feels that there should be a trial period before recommending the promotional one step rate increase, on recommendation of the Department Head, the Personnel Board may approve such a deferred promotional increase at the conclusion of the trial period, not to exceed three (3) months.

b. An employee transferred to a job with a lower rate range, or rate of pay, shall enter it at the rate paid for the previous position or at the maximum rate for the job, whichever is the lower, provided the Personnel Board approves. The employee shall have a right to appeal to the Personnel Board and to be heard thereon, and the Personnel Board shall decide the matter.

SECTION 9. NEW PERSONNEL

a. Physical examinations are required of all employees before being hired consistent with the Town's policies.

b. The hiring rate shall be the minimum of the rate range of the job for which the new employee is hired, unless otherwise authorized by the Personnel Board. Department Heads shall notify the Personnel Board of the hiring of all personnel and their hiring rates.

c. For new regular Full-Time and new regular Part-Time personnel for whose positions there is a rate range and step rates, the first six months of employment shall be a probationary period at the end of which the employee may advance one step rate, provided that the Department Head and the Personnel Board decide the employee's performance warrants it. The employee shall thereafter be reviewed for a step rate increase one year from the date of the employee's latest increase. This probationary step rate increase shall apply only at the start of employment and shall not apply in case of transfer or promotion from one job to another.

SECTION 10. DEPARTMENT BUDGETS

Each Department Head shall include in the annual budget a pay adjustment section to provide funds for anticipated pay adjustment during the ensuing year, expenditures to be made therefrom only in accordance with the Salary Administration Plan and Personnel By-Laws with the approval of the Personnel Board.

SECTION 11. EMPLOYEE BENEFITS

Employee benefits, such as holiday and vacation with pay, sick leave and other such matters, are a cost item to the Town and a form of "indirect pay," and included in the coverage of the Salary Administration Plan and Personnel By-Laws, both those included in the Plan at its adoption and any other which may be included in the future.

a. Holidays with Pay

Each eligible Employee shall receive one day's pay at their regular straight time rate for the following holidays:

New Year's Day
Martin Luther King's Birthday
Presidents' Day
Patriot's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving Day
Christmas Day
Day before or after Christmas Day

To be eligible for holiday pay, an Employee must work both their regular scheduled day preceding and their regular scheduled day following the holiday, or be excused from work pursuant to the provisions for absences with pay listed in the next Section.

An Employee whose regular day off falls on a holiday may elect to have one day off with pay in the following week in lieu of holiday pay, providing the choice of day is approved by the Department Head.

Details as to administrative policies and practices relative to holidays with pay shall be prepared and established under the direction of the Personnel Board.

b. Vacations with Pay

(1) Regular Full-Time Employees who have been in the continuous employ of the Town, as such, shall be paid their regular week's pay or portion thereof as vacation pay in accordance with the following schedule:

Employed for	**Time Earned per month**
0-5 years	**0.833 days per month**
5 years	**1.25 days per month**
10 years	**1.67 days per month**
15 years	**2.08 days per month**
20 years or more	**2.50 days per month**

(2) Vacations shall be granted by Department Heads at such time as, in their opinion, will cause the least interference with the performance of the regular work of the Departments. An Employee shall be permitted to carry over up to one year's earned vacation. The Employee must have the Department Head's approval to take any portion of a prior year's unused vacation in addition to the days earned in the current fiscal year.

(3) If, in the opinion of the Department Head, there are unusual circumstances which warrant it, an Employee may, upon request, continue at work and receive vacation pay in lieu of taking vacation.

(4) In the event of termination of employment, which is caused through no fault of the Employee, or by reason of retirement, the Employee shall be paid, or be entitled to time off with pay, for any accumulated vacation prorated on the basis of service since the Employee's preceding vacation. In the event of the death of any Employee, any accumulated vacation pay shall be paid to the Employee's estate.

(5) Vacation administrative policies and practices shall be prepared and established under the direction of the Personnel Board.

c. Sick Leave

(1) All regular Full-Time Employees shall be entitled to fifteen (15) days sick leave per year. Unused sick leave may be accumulated without limitation. Pay for each day of sick leave shall be at the rate of a regular day's pay. Absences on account of sickness in excess of that authorized may, at the discretion of the Department Head and the Personnel Board, be charged to vacation leave. Sick leave shall be payable only in cases of bona fide illness, non-work-connected accident, or work-connected accidents not covered by Massachusetts

General Laws annotated Chapter 152 (Workers' Compensation). At retirement, the Town will pay the Employee twenty (20%) of the Employee's then-accumulated sick leave.

(2) Employees who because of sickness or a non-work-connected accident are absent for a period of more than **three (3)** days shall be required to present a doctor's certificate to their Department Head stating reason and period of time the Employee will be absent from work. The above section is not to be construed by an Employee or Department Head for time off for any sickness caused by over-indulgence in alcohol or narcotics or by his or her misconduct.

(3) An Employee may use up to seven (7) of the allowed fifteen (15) days of sick leave for the care of a sick family member who, in the opinion of the Department Head, is closely associated with the Employee.

(4) Details as to sick leave administrative policies and practices shall be as prepared and established under the direction of the Personnel Board. **Starting July 1, 2002, each employee under this plan will be granted 1.25 sick days per month, equaling 15 sick days annually.**

d. Personal Days

Each Employee shall be entitled to three (3) personal days per year. A Department Head may honor the request for a personal day made by any member of their Department who may have a normally accepted need for a personal day. However, in no event shall personal days for any one Employee exceed three days per year nor shall personal days accumulate from year to year. **Personal days (3) shall be granted on an annual basis on employee's anniversary date. New employees shall be granted three (3) personal days when they commence employment.**

e. Workers' Compensation

Workers' Compensation benefits shall be paid in accordance with the Town's Worker's Compensation Plan in place.

f. Military Leave

An employee in Full-Time employment in the military reserve shall be paid the difference between compensation received while on reserve duty and regular compensation rates paid to that employee by the Town. Such payment by the Town shall be limited to a period not to exceed two weeks in any twelve month period and shall not include payment to members of the National Guard who may be mobilized during an emergency in the Commonwealth.

g. Jury Duty

Any employee who is called to jury duty shall receive an amount equal to the difference between their normal compensation and the amount (excluding any travel allowance) received from the court, upon presentation of evidence of the amount paid by the court.

h. Miscellaneous Paid Time Off

Working time lost from regularly scheduled work days for reasons listed below shall be without loss of pay, provided such lost time is with authorization of the Department Head:

(1) Bereavement leave - In the event of the death of a spouse, father, mother, children, father-in-law, mother-in-law, brother or sister, or of any person residing with the family of an employee, such employee shall be entitled to receive three (3) days leave for the purpose of the funeral arrangements and burial of said deceased. In the event that travel is

required out of state, the Department Head in his or her discretion may authorize two (2) additional days of travel time.

(2) Inoculation required by Municipal Employer.
(3) Red Cross blood donation authorized by the Department.
(4) Medical examinations required by employer.
(5) Attendance at educational programs required or authorized by Town or Department.

i. Court Time Pay

Any employee who normally is on duty at night, or is on vacation, furlough or day off, who is required to attend Court as a witness or in any other capacity arising from the performance of his/her duty or in behalf of the Commonwealth or the Town in any civil **or** criminal case pending in any Court or before any official governmental board or agency shall be entitled to overtime compensation for every hour or fraction thereof during which they attend or appear, but in no event less than three (3) hours of such overtime pay.

j. Educational Increment

All Full-Time employees subject to the provisions of the Salary Administration Plan and Personnel By-Laws who have earned credits leading to a degree while an employee of the Town in a field applicable to their position as determined by the Department Head, and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and the Personnel Board, in a degree granting program from an accredited college or university, shall receive a one-time bonus, according to the following schedule:

Associates Degree......	$ 800.00
Bachelors Degree.......	$1,200.00
Masters Degree..........	$1,500.00

A copy of the completed transcript or diploma or other appropriate evidence of the completed degree must be presented to the Department Head and a copy to the Board of Selectmen who shall maintain complete and ongoing records for participants.

k. Tuition Reimbursement

The Town will provide tuition reimbursement, so long as:

(1) the course is accredited and pertains to the employee's specific job or position. Such information shall be presented to the Department Head, in writing, prior to enrollment in the course; and

(2) the Department Head, and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees and the Personnel Board, approves of the commitment of Town funds prior to registration by the employee, or the employee assumes responsibility for payment; and

(3) an approved purchase order is issued prior to registration by the employee's Department Head; and

(4) the employee attains a grade for the course of “C” or better and presents written verification of such grade to the Department Head.

l. Maternity Leave

(1) A female employee who has completed the initial probationary period of six months, who is absent from such employment for a period not exceeding twelve weeks for the

purpose of giving birth, said period to be hereinafter called maternity leave, and who shall give at least two weeks' notice to her Department Head or supervisor of departure and intention to return, shall be restored to her previous, or a similar position, with the same status pay, length of service credit and seniority, where applicable, and other employment benefits for which she was eligible on the date her leave commenced.

(2) Accrued sick leave benefits shall be provided for maternity leave purposes under the same terms and conditions which apply to other temporary medical disabilities.

(3) Such maternity leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit benefits, plans or programs for which she was eligible at the date of her leave, and any other advantages or rights of her employment incidental to her employment position.

m. Group Insurance

The Town will contribute fifty percent (50%) of the cost of an indemnity plan for medical coverage or ninety percent 90% of the cost of the Health Maintenance Organization plan.

SECTION 12. LEAVE OF ABSENCE

a. A leave of absence for valid reasons may be granted by a Department Head, but shall be without compensation.

b. Leaves of absence of over three months' duration, except military leave, shall be considered a break in employment, and on return to work the employee shall have the status of a new employee unless an extension of leave beyond three months has been authorized by the Personnel Board.

SECTION 13. TRANSITIONS BETWEEN FULL-TIME AND PART-TIME STATUS

a. A Part-Time employee shall be eligible for Full-Time (employee) status when the employee has worked over 20 hours a week for a period of at least three consecutive months. This status change requires prior approval by the appropriate Department Head.

b. A Full-Time employee whose hours of employment total less than 20 hours per week, exclusive of legal holidays and authorized vacation leave, sick leave, bereavement leave and other authorized leaves of absence for a period of more than three consecutive months shall be considered to be a Part-Time employee.

SECTION 14. APPOINTMENT OF “ACTING” DEPARTMENT HEADS

a. The Board of Selectmen or the appropriate commissioners or trustees may appoint, where necessary, in the case of the absence of a Department Head for three (3) consecutive weeks, excluding vacation periods, an “Acting” Department Head.

b. These “Acting” employees shall be compensated at an additional step rate of 10% per week. Such pay shall be retroactive only upon the conclusion of three (3) consecutive weeks of service by the “Acting” Department Head.

c. While on “Acting” status, which should be no longer than three (3) months, an employee shall still be eligible for overtime pay when fulfilling regular duties from the previous job beyond normal working hours.

SECTION 15. PERSONNEL BOARD

a. There shall be a Personnel Board to administer the Salary Administration Plan and Personnel By-Laws. Said Board to be appointed by the Moderator, consisting of five voters other than employees of the Town or those regularly serving the Town in any elective capacity. They shall serve without compensation.

b. Future appointments shall be for three years. The Moderator shall fill any vacancies. All members shall continue to hold office until their successors have been appointed and qualified. The Personnel Board may employ assistance and incur expenses as it deems necessary, subject to appropriation of funds thereof.

SECTION 16. DUTIES OF THE PERSONNEL BOARD

a. The Personnel Board shall administer the Salary Administration Plan and Personnel By-Laws and shall establish such policies, procedures and regulations as it deems necessary for the administration of the Plan.

b. The Board shall meet annually in July and organize by the choice of a Chairman and Clerk. The Board shall meet at least monthly, except for the month of August. A majority of the Board shall constitute a quorum for the transaction of business. The votes of the majority of all the members of the Board shall be necessary on any matter upon which it is authorized to or required to pass under the Salary Administration Plan and Personnel By-Laws.

c. The Personnel Board shall have maintained records of all employees subject to this Plan, included therein such information as it deems desirable, such records are to be kept by the Town Accountant, under the direction of the Board. Department Heads shall furnish such information as shall be requested by the Board. The Town Accountant shall also check on matters covered by the Plan and shall bring any deviations to the attention of the Board prior to payment.

d. The Personnel Board, from time to time, shall review the Classification Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. The Personnel Board may tentatively add a new class to the Classification Schedule or reallocate an existing class to a different compensation grade, either higher or lower, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next annual Town meeting.

e. On or before February 15 of each year the Personnel Board shall vote an annual adjustment which amends the weekly salary schedule for the forthcoming year, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting. Notwithstanding, the Personnel Board shall reserve the right to vote no adjustment as long as such determination is voted on or before February 15 of each year.

f. The Personnel Board shall, from time to time, review the Salary Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. It shall keep informed as to pay rates and policies outside the services of the Town, and shall recommend to the Town any action which it deems desirable to maintain a fair equitable pay level.

g. Matters that are sent to the Chairman of the Personnel Board by registered mail must be brought before the Board at its next scheduled meeting. Failure of the board to vote to approve or disapprove requests within thirty (30) days of that meeting shall constitute approval of the request. In addition, notice in writing shall be forwarded to the concerned employee and respective Department Head within three (3) days of the Board's decision. Notwithstanding, if the Personnel Board shall so request and the concerned employee and his/her Department Head shall mutually agree, a reasonable extension of these time periods may be granted.

h. Upon recommendation of a Department Head, supported by evidence in writing of special reasons and exceptional circumstances satisfactory to the Personnel Board, said Board may authorize an entrance rate higher than the minimum rate for a position, and such other variances in the Salary Administration Plan and Personnel By-Laws as it may deem necessary for the proper functioning of the services of the Town, and to effectuate the basic intent of the Plan.

SECTION 17. EMPLOYEES AND THE PERSONNEL BOARD

a. All employees presently covered by this Plan shall have the right to request an appointment to confer with the Board on any matter which is of interest or concern to them and which is covered by the Salary Administration Plan and Personnel By-Laws. The employee shall notify the Department Head in writing in advance of his/her desire to discuss the matter with the Board. One of the duties of the Board shall be to foster mutual understanding and good will with the personnel of the Town.

b. To facilitate this, if any employee should feel aggrieved by the operation of any provision of the Plan, he/she shall first discuss the matter with his/her Department Head, in a mutual effort to clear up any problems or misunderstanding.

c. If two weeks after such a conference, a satisfactory understanding and solution of the problem has not been reached, then either the Department Head or the employee may take the matter to the Board. The Board shall hear the parties not later than its next regular meeting. There shall be no discrimination or prejudice by a Department Head against any employee who may take a matter to the Board.

SECTION 18. AMENDMENT OF THE PLAN

The Salary Administration Plan and Personnel By-Laws may be amended in the same manner in which Town By-Laws may be amended; provided, however, that no amendment to the Plan shall be made until it has been presented by a signed petition addressed to and submitted to the Personnel Board, and acted upon by the Board. Upon receipt of such a written petition, the Board, after giving the petitioners, the Department Heads and employees affected at least one week's written notice, shall hold a hearing of the parties interested to consider the proposed amendment. If the Personnel Board shall approve of any such proposed amendment, it shall take the proper steps to bring the proposed amendment before the next annual Town meeting for its consideration and action. If the Personnel Board shall disapprove any such proposed amendment, and failure to act thereof within fifteen days after the hearing shall be deemed disapproved, the petition may then be presented to the next annual Town meeting for its consideration and action, if so desired. The Board of its own motion, after a similar hearing and/or conference with parties interested, may propose an amendment to the Plan.

SECTION 19. CIVIL SERVICE LAW

Nothing in this by-law, or in the Salary Administration Plan and Personnel By-Laws, shall be construed to conflict with Chapter 31 of the General Laws, which is the Chapter dealing with the Civil Service Law.

SECTION 20. SEPARABILITY PROVISION

In the event that any provision of this by-law, or application thereof, shall be held to be invalid by the proper authorities, this shall not be construed to effect the validity of any other provision, or application thereof, of this by-law.

SECTION 21: CLASSIFICATION SCHEDULE

Grade Level	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
I	30,000	31,111	32,222	33,333	34,444	35,555	36,666	37,777	38,999	40,000
II	35,000	36,111	37,222	38,333	39,444	40,555	41,666	42,777	43,888	45,000
III	40,000	41,666	43,332	44,998	46,664	48,330	49,996	51,662	53,328	55,000
IV	45,000	46,666	48,332	49,998	51,664	53,330	54,996	56,662	58,328	60,000
V	55,000	56,666	58,332	59,998	61,664	63,330	64,996	66,662	68,328	70,000
VI	60,000	61,666	63,332	64,332	66,664	68,330	69,996	71,662	73,328	75,000
VII	75,000	76,111	77,222	78,333	79,444	80,555	82,666	83,777	84,999	85,000

SCHEDULE A: FULL-TIME SALARY GRADED POSITIONS

Staff Librarian (Hourly)	I
Maintenance Custodian (Hourly)	I
Animal Control Officer	II
Assistant Director, Council on Aging	II
Outreach Coordinator	II
Program Coordinator, Recreation Commission	II
Assistant Director, Youth Commission	III
Children's Librarian	III
Staff Engineer	III
Assistant Town Administrator	IV
Council on Aging Coordinator	IV
Director of Recreation Commission	IV
Assistant Superintendent, DPW	V
Building Inspector	V
Facilities Manager	V
Library Director	V
Principal Assessor	V
Public Health Director	V
Town Accountant	V
Town Planner	V
Treasurer-Collector	V
Youth Director, Youth Commission	V

SCHEDULE B: (Reserved)

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

SCHEDULE C: PART-TIME HOURLY GRADED POSITIONS

Swimming Aides	1
Tennis Aides	1
Seasonal Laborer	1
Library Page (P.T.)	1
Playground Counselors	1
Summer Program Assistant, Youth Commission	2
Tennis Instructors	2
Page, Library	3
Election Worker (P.T.)	3
Election Warden (P.T.)	4
Clerk, Library	5
Library Custodian	5
Playground Supervisor	5
Swimming Instructor	6
Secretary, Town Committee	8
Tennis Director	9
Swimming Director	10
Tree Warden	11

Grade	Minimum	Maximum
1	$5.15	$7.70
2	$8.34	$12.35
3	$8.84	$12.98
4	$9.26	$13.78
5	$9.71	$14.49
6	$10.25	$15.22
7	$10.73	$15.95
8	$11.26	$16.77
9	$11.82	$17.62
10	$12.54	$18.66
11	$13.87	$20.70

SCHEDULE D: PUBLIC SAFETY COMPENSATION
(Positions not covered by Collective Bargaining Agreement)

	GRADE	AMOUNT PER DRILL	AMOUNT PER BOX ALARM
Police Dispatcher (part-time)	8		
Reserve Police Officer (part-time)	9		
Call Fire Lieutenant		$79.07	$30.42
Call Firefighter		$66.90	$24.33
Call Firefighter 2		$30.42	$12.16

When a call fire fighter works in place of a permanent firefighter, he is reimbursed on an hourly basis equal to the first step of a permanent firefighter.

SCHEDULE E: MISCELLANEOUS ANNUAL COMPENSATION SCHEDULE

Clerk, Board of Registrars	$1,638.33
Registrar of Voters	$205.66
Town Counsel (plus fees)	$1,704.33
Veterans' Agent and Director of Veterans' Services	$9,836.68

LONGEVITY SCHEDULE

Full-Time Employees - 20 Hours or more
Note: Compensated on an annual basis

After 5 years	$400
After 10 years	$600
After 15 years	$700
After 20 years	$850
After 25 years	$1,000
After 30 years	$1,200
After 40 years	$1,500

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

MOTION MADE: TO POSTPONE ARTICLE 6 INDEFINITELY.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 7: That the Town raise a sum of money not to exceed the sum of $26,427,793, as may be necessary for the Town's use, and make appropriation of the same.

MOTION (as stated above) **VOTED UNANIMOUSLY**

MOTION MADE: TO DIVIDE THE QUESTION.
MOTION TO DIVIDE THE QUESTION VOTED UNANIMOUSLY

MOTION MADE: To take an umbrella vote on those budgets that do not have a hold on them. This one vote will have the effect of voting each separately.
MOTION (as stated above) **VOTED UNANIMOUSLY**

MOTION MADE: **TO PASS ALL BUDGETS** THAT DO NOT HAVE A HOLD ON THEM.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

BUDGET NAME	*FY 2003 REQUEST*

GENERAL GOVERNMENT

114 MODERATOR

700 Other Charges	50
MODERATOR TOTAL	**50**

119 ADVISORY COMMITTEE

700 Other Charges	135
ADVISORY COMMITTEE TOTAL	**135**

122 BOARD OF SELECTMEN

110 Salaries	206,568
100 Total Personal Services	**206,568**
304 Medical Exams	500
342 Legal Notices	3,000
200 Total Purchase of Services	**3,500**
710 Travel	1,300
730 Dues	2,668
732 Subscriptions	1,834
733 Conferences/Schooling	7,312
782 Miscellaneous	0
700 Total Other Charges and Expenses	**13,114**
BOARD OF SELECTMEN TOTAL	**223,182**

MOTION MADE: To reduce the budget of the Board of Selectmen by $2,232 to a new total of **$220,950**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

135 TOWN ACCOUNTANT

110 Salaries	97,899
100 Total Personal Services	**97,899**
420 Office Supplies	750
400 Total Supplies	**750**
700 Other Charges	**185**
800 Capital Outlay	**300**
TOWN ACCOUNTANT TOTAL	**99,134**

MOTION MADE: To reduce the budget of the Town Accountant by $991.00 to a new total of **$98,143**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

141 ASSESSORS

110 Salaries	119,731
100 Total Personal Services	**119,731**
304 Medical Exams	0
345 Advertising	0
380 Misc. Contracted Services	22,000
200 Total Purchase of Services	**22,000**
420 Office Supplies	1,600
581 Maps	3,000
582 Deeds & Plans	1,200

400 Total Supplies	**5,800**
700 Other Charges	**8,600**
800 Capital Outlay	**0**
ASSESSORS TOTAL	**156,131**

MOTION MADE: To reduce the budget of the Board of Assessors by $1,561 to a new total of **$154,570.**
MOTION (as stated above) **VOTED UNANIMOUSLY**

145 TREASURER/COLLECTOR

110 Salaries	172,959
100 Total Personal Services	**172,959**
253 Computer Services	0
304 Medical Exams	0
380 Misc. Contracted Services	14,000
382 Bank Service Charges	0
200 Total Purchase of Services	**14,000**
420 Office Supplies	7,580
400 Total Supplies	**7,580**
700 Other Charges	**5,000**
800 Capital Outlay	**500**
TREASURER/COLLECTOR TOTAL	**200,039**

MOTION MADE: To reduce the budget of the Treasurer-Collector by $2,000 to a new total of **$198,039**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

151 LEGAL

308 Legal Services	60,000
200 Total Purchase of Services	**60,000**
LEGAL TOTAL	**60,000**

152 PERSONNEL BOARD

110 Salaries	0
100 Total Personal Services	**0**
344 Postage	0
380 Misc. Contracted Services	6,400
200 Total Purchase of Services	**6,400**
420 Office Supplies	0
400 Total Supplies	**0**
700 Other Charges	**120**
800 Capital Outlay	**0**
PERSONNEL BOARD TOTAL	**6,520**

158 ADMINISTRATIVE SUPPORT

110 Salaries	80,100
100 Total Personal Services	**80,100**
380 Misc. Contracted Services	4,000
200 Total Purchase of Services	**4,000**
420 Office Supplies	1000
400 Total Supplies	**1000**
700 Other Charges	**0**
800 Capital Outlay	**0**
ADMINISTRATIVE SUPPORT TOTAL	**85,100**

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

MOTION MADE: To reduce the Administrative Support budget by $851.00 to a new total of **$84,249**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

159 CENTRAL SERV/OPS SUPPORT

110 Salaries	0
100 Total Personal Services	**0**
253 Computer Services	97,051
273 Postage Meter Rental	1,300
340 Printing	10,000
341 Telephone	10,100
344 Postage	23,000
380 Misc. Contracted Services	12,405
200 Total Purchase of Services	**153,856**
420 Office Supplies	2,000
421 Storage of Microfilm	1,000
422 Photocopying Supplies	4,356
510 Books	0
584 Computer Supplies	8,860
599 Service Supplies	0
400 Total Supplies	**16,216**
710 Travel	0
733 Schooling	21,110
782 Miscellaneous	2,300
700 Total Other Charges and Expenses	**23,410**
850 New Equipment	0
854 Computer Equipment	20,400
800 Capital Outlay	**20,400**
CENTRAL SERV/OPS SUPPORT TOTAL	**213,882**

161 TOWN CLERK

110 Salaries	40,236
100 Total Personal Services	**40,236**
240 Equipment Repairs	100
304 Medical Exams	0
346 Report of Vital Statistics	260
200 Total Purchase of Services	**360**
420 Office Supplies	400
421 Storage of Microfilm	100
583 Dog Licenses	500
400 Total Supplies	**1,000**
700 Other Charges	**1,300**
800 Capital Outlay	**500**
TOWN CLERK TOTAL	**43,396**

MOTION MADE: To reduce the budget of the Town Clerk by $434.00 to a new total of **$42,962**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

162 ELECTIONS & REGISTRATION

110 Salaries	54,854
100 Total Personal Services	**54,854**
240 Equipment Repair	100

343 Street Listings	6,500
200 Total Purchase of Services	**6,600**
420 Office Supplies	3,625
580 Town Meeting Expenses	3,000
400 Total Supplies	**6,625**
700 Other Charges	**3,332**
800 Capital Outlay	**500**
ELECTIONS & REGISTRATION TOTAL	**71,911**

MOTION MADE: To reduce the Elections & Registration budget by $719.00 to a new total of **$71,192**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

171 CONSERVATION COMMISSION

341 Telephone	900
200 Total Purchase of Services	**900**
420 Office Supplies	200
400 Total Supplies	**200**
700 Other Charges	**2,455**
800 Capital Outlay	**0**
CONSERVATION COMMISSION TOTAL	**3,555**

175 PLANNING BOARD

110 Salaries	68,100
100 Total Personal Services	**68,100**
340 Printing Services	300
342 Legal Notices	400
380 Misc. Contracted Services	0
200 Total Purchase of Services	**700**
420 Office Supplies	200
400 Total Supplies	**200**
700 Other Charges	**1,350**
800 Capital Outlay	**0**
PLANNING BOARD TOTAL	**70,350**

MOTION MADE: To reduce the budget of the Planning Board by $704.00 to a new total of **$69,646**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

192 TOWN BUILDINGS, GROUNDS & RECREATION FIELDS

110 Salaries	149,601
100 Total Personal Services	**149,601**
210 Electricity	16,100
212 Heat	11,865
230 Water & Irrigation System	12,693
244 Building Maintenance & Repair	26,241
247 Grounds Maintenance	25,630
380 Grounds & Recreation Fields	115,000
200 Total Purchase of Services	**207,529**
481 Gasoline	60,000
400 Total Supplies	**60,000**
779 Renovation of Historical Building	0
782 Miscellaneous	0

700 Total Other Charges & Expenses	**0**
850 New Equipment	0
800 Capital Outlay	**0**
TOWN BUILDINGS, GROUNDS & RECREATION FIELDS	**417,130**

MOTION MADE: To reduce the budget of Town Buildings and Grounds by $4,171 to a new total of **$412,959**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

PUBLIC SAFETY

210 POLICE DEPARTMENT

110 Salaries	1,157,779
190 Employee Allowance	16,925
100 Total Personal Services	**1,174,704**
210 Electricity	5,000
211 Heat & Oil	5,500
230 Water	200
241 Vehicle Maintenance & Repair	6,000
242 Radio Repair	3,000
243 Service Equipment	12,000
244 Building Maintenance & Repair	5,000
304 Medical Exams	350
341 Telephone	7,700
342 Legal Notices	300
344 Postage	900
380 Misc. Contracted Services	0
200 Total Purchase of Services	**45,950**
420 Office Supplies	1,800
599 Service Supplies	5,700
400 Total Supplies	**7,500**
700 Other Charges	**12,100**
800 Capital Outlay	**4,000**
POLICE DEPARTMENT TOTAL	**1,244,254**

MOTION MADE: To reduce the budget of the Police Department by $12,443 to a new total of **$1,231,811**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

220 FIRE DEPARTMENT

110 Salaries	1,232,727
190 Employee Allowance	31,920
100 Total Personal Services	**1,264,647**
210 Electricity	7,400
211 Heat & Oil	6,032
230 Water	625
241 Vehicle Maintenance & Repair	18,000
243 Service Equipment	10,000
244 Building Maintenance & Repair	6,000
341 Telephone	6,900
380 Misc. Contracted Services	0

200 Total Purchase of Services	**54,957**
420 Office Supplies	6,200
480 Grease & Oil	500
510 Books/A.V. Materials	7,010
599 Service Supplies	0
400 Total Supplies	**13,710**
700 Other Charges	**13,420**
800 Capital Outlay	**35,088**
FIRE DEPARTMENT TOTAL	**1,381,822**

MOTION MADE: To reduce the budget of the Fire Department by $13,617 to a new total of **$1,348,117**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

241 BUILDING DEPARTMENT

110 Salaries	59,883
100 Total Personal Services	**59,883**
304 Medical Exams	0
380 Misc. Contracted Services	600
200 Total Purchase of Services	**600**
420 Office Supplies	0
530 Building Supplies	775
400 Total Supplies	**775**
700 Other Charges	**3,165**
800 Capital Outlay	**1,000**
BUILDING DEPARTMENT TOTAL	**65,423**

MOTION MADE: To reduce the budget of the Building Department by $654.00 to a new total of **$64,769**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

291 CIVIL DEFENSE

110 Salaries	6,182
100 Total Personal Services	**6,182**
245 Equipment Repairs	350
341 Telephone	1,100
200 Total Purchase of Services	**1,450**
420 Office Supplies	600
400 Total Supplies	**600**
700 Other Charges	**6,000**
800 Capital Outlay	**6,668**
CIVIL DEFENSE TOTAL	**20,900**

292 ANIMAL CONTROL OFFICER AND ANIMAL INSPECTOR

110 Salaries	32,611
100 Total Personal Services	**32,611**
270 Facility Rental	3,600
341 Telephone	0
380 Misc. Contracted Services	1,400
383 Care & Destruction	2,100
200 Total Purchase of Services	**7,100**
420 Office Supplies	150
599 Service Supplies	400
400 Total Supplies	**550**

700 Other Charges	**3,000**
800 Capital Outlay	**0**
ANIMAL CONTROL OFFICER AND ANIMAL INSPECTOR TOTAL	**43,261**

MOTION MADE: To reduce the budget of the Animal Control Officer by $433.00 to a new total of **$42,828**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

PUBLIC WORKS

420 DEPARTMENT OF PUBLIC WORKS

110 Salaries	1,042,686
190 Employee Allowance	30,093
100 Total Personal Services	**1,072,779**
210 Electricity	57,000
211 Heat	16,100
230 Water	975
244 Building Maintenance & Repair	11,500
245 Equipment Repairs	18,000
246 Traffic Signal Maintenance	5,000
250 Meter Repairs	2,000
251 Hydrant Repairs	4,000
271 Equipment Rental	2,000
293 Refuse Disposal	218,000
295 Service Connection	6,000
*296 MWRA Payment	590,000
297 Snow Removal - Contr.	42,350
305 Tree Experts	57,000
341 Telephone	12,500
342 Legal Notices	2,100
344 Postage	4,150
380 Miscellaneous Contracted Services	34,000
200 Total Purchase of Services	**1,082,675**
420 Office Supplies	4,000
490 Meals	900
529 Parts - Other Depts.	0
531 Highway Paint	14,000
532 Parts	30,000
534 Gravel, Stone & Fill	3,800
535 Salt & Sand	78,500
537 Bituminous Concrete	3,700
538 Signs	10,000
539 Drainage Materials	3,500
540 Guard Rail	500
541 Small Tools	2,700
542 DPW Service Supplies	13,750
543 Pipes & Fittings	4,500
544 Meters & Fittings	13,000
400 Total Supplies	**182,850**
700 Other Charges	**4,100**
800 Capital Outlay	**8,500**
DEPARTMENT OF PUBLIC WORKS TOTAL	**2,350,904**

*This is correct. The Warrant indicated MDC, which is in error.

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

	WATER DIVISION	DPW ALL OTHER	**DPW TOTAL**
100 Personal Services	336,844	735,935	1,072,779
200 Purchase of Services	694,900	387,775	1,082,675
400 Supplies	28,300	154,550	182,850
700 Other Charges	1,990	2,110	4,100
800 Capital Outlay	3,500	5,000	8,500
TOTAL	**1,065,534**	**1,285,370**	**2,350,904**

MOTION MADE: To reduce the budget of the Department of Public Works [ALL OTHER] by $12,854 to a new total of **$1,272,516**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

750 INTEREST ON DEBT	
WATER FUND	
Water Extension	0
Water Extension	0
900 DEBT SERVICE	**0**
710 DEBT SERVICE	
WATER FUND	
Water Extension	0
Water Extension	0
900 DEBT SERVICE	**0**
424 STREET LIGHTS	
210 Electricity	105,000
200 Total Purchase of Services	105,000
STREET LIGHTS TOTAL	**105,000**

HUMAN SERVICES

511 BOARD OF HEALTH	
110 Salaries	92,571
100 Total Personal Services	**92,571**
307 Nursing Services	3,300
345 Advertising	500
380 Misc. Contracted Services	8,996
200 Total Purchase of Services	**12,796**
420 Office Supplies	1,500
599 Service Supplies	0
400 Total Supplies	**1,500**
700 Other Charges	**6,850**
800 Capital Outlay	**0**
BOARD OF HEALTH TOTAL	**113,717**

MOTION MADE: To reduce the budget of the Board of Health by $1,137 to a new total of **$112,580**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

541 COUNCIL ON AGING	
110 Salaries	82,233
100 Total Personal Services	**82,233**

340 Printing	300
341 Telephone	1,400
344 Postage	1,000
380 Misc. Contracted Services	22,000
200 Total Purchase of Services	**24,700**
420 Office Supplies	500
599 Service Supplies	1,300
400 Total Supplies	**1,800**
700 Other Charges	**1,750**
800 Capital Outlay	**5,000**
COUNCIL ON AGING TOTAL	**115,483**

MOTION MADE: To reduce the budget of the Council on Aging by $20,000 to a new total of **$95,483**.
MOTION TO TABLE THIS MOTION
MOTION TO TABLE FAILS BY THE FOLLOWING VOTE:
2/3 VOTE NEEDED **Yes 103**
No 70

MOTION MADE: That $20,000 of the Council on Aging Budget ($115,483) to be raised and appropriated shall be contingent on passage of a budget override by a majority vote at the Annual Town Election.

MOTION PASSED BY MAJORITY VOTE
At Annual Town Election of May 13, 2002 this motion was also passed by a vote of: **Yes 923**
No 593

COUNCIL ON AGING TOTAL BUDGET **115,483**

543 VETERANS' SERVICES

110 Salaries	9,838
100 Total Personal Services	**9,838**
344 Postage	0
200 Total Purchase of Services	**0**
420 Office Supplies	100
400 Total Supplies	**100**
700 Other Charges	**15,567**
VETERANS' SERVICES TOTAL	**25,505**

632 YOUTH COMMISSION

110 Salaries	89,922
100 Total Personal Services	**89,922**
380 Misc. Contracted Services	20,000
200 Total Purchase of Services	**20,000**
599 Service Supplies	5,500
400 Total Supplies	**5,500**
700 Other Charges	**3,600**
800 Capital Outlay	**0**
YOUTH COMMISSION TOTAL	**119,022**

MOTION MADE: To reduce the budget of the Youth Commission by $1,000 to a new total of **$118,022**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

CULTURE AND RECREATION

610 LIBRARY	
110 Salaries	236,233
100 Total Personal Services	**236,233**
210 Electricity	13,750
211 Heat & Oil	9,000
230 Water	200
244 Building Maintenance	14,000
245 Equipment Repairs	3,000
341 Telephone	1,500
200 Total Purchase of Services	**41,450**
420 Office Supplies	2,800
510 Books	60,400
400 Total Supplies	**63,200**
700 Other Charges	**8,450**
850 New Equipment	1,000
859 Automation/Retrospective Conversion	5,650
800 Capital Outlay	**6,650**
LIBRARY TOTAL	**355,983**

MOTION MADE: To reduce the budget of the Library by $3,560 to a new total of **$352,423**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

631 RECREATION	
110 Salaries	105,750
100 Total Personal Services	**105,750**
247 Grounds Maintenance	0
304 Medical Exams	120
340 Printing	2,590
345 Advertising	1,200
380 Misc. Contracted Services	1,000
200 Total Purchase of Services	**4,910**
420 Office Supplies	300
512 Arts & Crafts Supplies	0
599 Service Supplies	600
400 Total Supplies	**900**
700 Other Charges	**2,950**
800 Capital Outlay	**0**
RECREATION TOTAL	**114,510**

MOTION MADE: To reduce the budget of the Recreation Department by $15,000 to a new total of **$99,510**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

633 HISTORICAL COMMISSION	
340 Printing	500
344 Postage	150
380 Misc. Contracted Services	5,100
200 Total Purchases of Services	**5,750**
420 Office Supplies	600
400 Total Supplies	**600**
732 Subscriptions	100

782 Miscellaneous	0
700 Total Other Charges and Expenses	**100**
HISTORICAL COMMISSION TOTAL	**6,450**

MOTION MADE: To reduce the budget of the Historical Commission by $2,500 to a new total of **$3,950**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

INSURANCE

900 INSURANCE	
170 Blue Cross - Health	51,406
171 HMO - Health	1,593,744
173 Dental - Health	84,361
100 Total Personal Services	**1,729,511**
172 Group Life Insurance	6,241
100 Total Personal Services	**6,241**
301 Consulting Services	11,000
200 Total Purchase of Services	**11,000**
742 Liability Package Policy	124,775
746 Police/Fire Accident	20,000
750 Youth Director	500
751 Medicare	125,000
753 Social Security	60,000
700 Total Other Charges and Expenses	**330,275**
INSURANCE TOTAL	**2,077,027**

DEBT AND INTEREST

750 INTEREST ON DEBT	
GENERAL FUND	
Additional School Construction	291,945
School Rec. Facility	19,590
Finn School	315,154
Underground Storage Tanks	0
Land Purchase/40 Central	0
DPW Garage	16,125
Middle School	349,363
Landfill Closure	49,665
900 DEBT SERVICE	**1,041,842**

710 DEBT SERVICE	
GENERAL FUND	
Additional School Construction	320,000
School Rec. Facility	25,000
Finn School	465,000
Underground Storage Tanks	0
Land Purchase/40 Central	0
DPW Garage	100,000
Middle School	475,000
MWPAT Septic	11,101
Landfill Closure	55,000
900 DEBT SERVICE	**1,451,101**
RESERVE FUND	150,000

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

SCHOOL DEPARTMENT

SOUTHBOROUGH SCHOOLS	
REGULAR DAY PROGRAMS	
ADMINISTRATION	
School Committee	15,500
Superintendent's Office	157,499
Administrative Support	149,207
INSTRUCTION	
Supervision	35,400
Principals	646,638
Teaching	5,110,515
Professional Development	78,750
Textbooks & Materials	178,015
Instructional Hardware & Software	40,809
Library Services	169,807
Instructional Equipment	18,941
Guidance Services	189,392
OTHER STUDENT SERVICES	
Testing	0
Personnel Services	500
Health Services	128,682
Transportation	240,407
Athletics	17,775
Student Body Activities	9,478
OPERATION & MAINTENANCE OF BUILDING	
Operation of Buildings	794,443
Maintenance of Buildings	174,815
Extraordinary Maintenance	0
Networking & Telecommunications	46,358
FIXED CHARGES	
Rentals & Leases	49,600
Retirement Liability	0
TUITION, OTHER PUBLIC SCHOOL	
Vocational Education	0
REGULAR DAY PROGRAMS	**8,252,531**
SPECIAL EDUCATION PROGRAMS – CHAPTER 766	
INSTRUCTION	
Director	80,416
Teaching	1,243,812
Professional Development	4,000
Instructional Technology	2,000
Psychological Services	180,432
OTHER STUDENT SERVICES	
Health Services	48,000
Transportation Within	12,000
OPERATION & MAINTENANCE OF BUILDINGS	
Operation of Buildings	9,000
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS	
Tuition, Out	719,073
Transportation, Out	202,000

PROGRAMS, MEMBERS OF COLLABORATIVE	
Assabet Collaborative Assessment	10,000
Tuition Out, Collaborative	137,000
Transportation Out, Collaborative	35,000
SPECIAL EDUCATION – CHAPTER 766	**2,682,733**

SUMMARY

REGULAR DAY PROGRAMS	8,252,531
SPECIAL EDUCATION LOAN*	0
SPECIAL EDUCATION – CHAPTER 766	2,682,733
GRAND TOTAL OPERATING BUDGET	**10,935,264**

*Loan repaid in full FY02

MOTION MADE: To reduce the budget of the Southborough School department by $45,935 to a new total of **$10,889,329**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

ALGONQUIN REGIONAL HIGH SCHOOL
REGULAR DAY PROGRAMS

ADMINISTRATION	
School Committee	67,440
Superintendent's Office	125,080
Administrative Support	132,742
INSTRUCTION	
Supervision	61,010
Principals	532,248
Teaching	5,149,629
Professional Development	67,300
Textbooks & Materials	239,628
Instructional Hardware & Software	30,561
Instructional Equipment	50,184
Guidance Services	426,064
OTHER STUDENT SERVICES	
Testing	2,800
Health Services	66,303
Transportation	701,264
Athletic/ Student Body Activities	384,941
Other Student Activities	9,800
OPERATION & MAINTENANCE OF BUILDINGS	
Operation of Buildings	626,286
Maintenance of Buildings	106,280
Extraordinary Maintenance	0
Networking & Telecommunications	27,040
FIXED CHARGES	
Rentals & Leases	100,450
Insurance	1,151,643
Retirement Liability	99,747
TUITION, OTHER PUBLIC SCHOOLS	
Vocational Education	0
School Choice	43,000
REGULAR DAY PROGRAMS	**10,201,440**

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

SPECIAL EDUCATION PROGRAMS – CHAPTER 766

INSTRUCTION	
Director	78,107
Teaching	455,586
Professional Development	2,400
Instructional Technology	2,000
Psychological Services	60,919
OTHER STUDENT SERVICES	
Health Services	3,500
Transportation	7,500
OPERATION & MAINTENANCE OF BUILDINGS	
New Equipment	3,500
Equipment Maintenance	700
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS	
Tuition, Out	324,226
Transportation, Out	100,000
PROGRAMS, MEMBER OF COLLABRATIVE	
Assabet Collaborative Assessment	7,500
Tuition Out, Collaborative	65,000
Transportation Out, Collaborative	15,000
SPECIAL EDUCATION – CHAPTER 766	**1,125,938**

SUMMARY

REGULAR DAY PROGRAMS	10,201,440
SPECIAL EDUCATION – CHAPTER 766	1,125,938
GRAND TOTAL OPERATING BUDGET	**11,327,378**

NORTHBOROUGH – SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2003 BUDGET & ASSESSMENTS – DEPT. OF ED. RECOMMENDED METHOD
PRELIMINARY

			67.95% **Northboro**	32.05% **Southboro**
Step 1				
Recommended Operating Budget (FY 2003)*		11,589,602.00		
Less Transportation	701,264.00			
SPED-Transportation	114,500.00	815,764.00		
Less Fixed Charges		0.00		
Net School Spending		10,773,838.00		
Less revenues		0.00		
Subtotal		10,773,838.00		
Less Chapter 70 Aid-Preliminary (House 1)		1,952,121.00		
Less State ward reimbursement		0.00		
Net Budget		8,821,717.00		
Step 2				
Minimum Local Contribution required by Ed Reform			**	**
Step 3				
Difference between Min Contrib & Net Budget balance		8,821,717.00		
Step 4				
Apportion Step 3 amount by agreement			5,994,356.70	2,827,360.30
Step 5				
Transportation Budget	815,764.00			
Less Aid to Transportation estimated	701,264.00	114,500.00	77,802.75	36,697.25
Step 6				
Other Operational Costs	0.00			
Less Revenues	0.00	0.00		

Step 7			
Capital Budget (existing debt service)***	899,607.00	615,260.00	284,347.00
Step 8			
Total assessments, Min. local contribution plus apportionments	9,835,824.00	6,687,419.45	3,148,404.55
Step 9			
Excess & Deficiency Offset	75,000.00	50,962.50	24,037.50
FY 2003 ASSESSMENTS	**9,760,824.00**	**6,636,456.95**	**3,124,367.05**
Assessment Comparison:			
FY 2002 Assessment	8,640,566.00	5,896,506.40	2,744,059.60
Dollar Increase	1,120,258.00	739,950.55	380,307.45
Percent Increase	12.97%	12.55%	13.86%

MOTION MADE: To reduce the budget of the Northborough-Southborough Algonquin Regional High School by $3,040 to a new total of **$3,037,284**.
MOTION (as stated above) **VOTED UNANIMOUSLY**

*Superintendent's Recommended Budget Dated January 16, 2002
** Information not available from DOE as of 02-06-02
***Portions of Debt Service Payments excluded from Proposition 2 ½

Northborough	$341,923
Southborough	$159,577

ASSABET VALLEY REGIONAL VOC. SCHOOL

SCHOOL COMMITTEE	93,010
SUPERINTENDENT & BUSINESS OFFICE	414,969
INSTRUCTION SUPERVISION	307,229
PRINCIPAL OFFICE	133,670
INSTRUCTION & SUPPLIES	6,263,850
TEXTBOOKS	63,025
LIBRARY SERVICES	105,631
MULTI-MEDIA	12,500
GUIDANCE SERVICES	403,226
ATTENDANCE	22,818
HEALTH SERVICES	71,578
TRANSPORTATION CONTRACTS	798,654
TRANSPORTATION SPORTS - FIELD TRIPS	37,326
ATHLETICS PROGRAM	258,392
STUDENT BODY ACTIVITIES	83,350
OPERATION OF PLANT	1,179,641
MAINTENANCE OF PLANT	304,600
HEALTH-LIFE-MEDICARE INSURANCE	809,700
OTHER INSURANCES	191,837
LEASES OF EQUIPMENT	25,000
ACQUISITION OF FIXED ASSETS	177,700
VOCATIONAL DAY OPERATING BUDGET	**11,757,706**
RIGHT TO KNOW - ASBESTOS AUDIT	10,000
SINGLE AUDIT REQUIREMENT	12,500
RIGHT TO KNOW - AUDIT BUDGET	**22,500**
CAPITAL PROJECT ROOF (P&I)	0
SPECIAL NEEDS	719,673
TOTAL BUDGET	**12,499,879**

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

LESS ANTICIPATED AID & TRANSFERS	(5,648,800)
MASS. GENERAL LAW 32B, SECTION 9 & 9	75,000
TOTAL ASSESSMENT TO COMMUNITIES	**6,926,079**
SOUTHBORO ASSESSMENT	**185,410**

MOTION MADE: That the Town raise a sum of money not to exceed $26,447,793 as may be necessary, for the Town's use, and make appropriations for the same.

Transfer from the Cemetery Trust Fund	$15,000
Transfer from Free Cash	$1,358,401
Transfer from Overlay Reserve	$207,500
Transfer from the Stabilization Fund	$424,611

That the balance of $24,442,281 be raised and appropriated.

MOTION: (as stated above) **VOTED UNANIMOUSLY**

A True copy:
Attest:______________________
Paul J. Berry, Town Clerk

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

ARTICLE 8: To see if the Town will vote to transfer to Surplus Revenue Account (Excess and Deficiency) a sum of money, or do or act anything in relation thereto. (Proposed by the Town Accountant and the Board of Selectmen)

MOTION MADE: That the Town transfer to Surplus Revenue Account (Excess and Deficiency) the following sums:

Article	Purpose	Amount
STM 1999, Article 3	Public Safety Study	$ 194.00
ATM 1995, Article 17	Landfill Assessment	$ 2,580.33
ATM 1996, Article 4	Town House Heating	$ 358.70
ATM 1996, Article 31	Newton Street Sidewalk	$ 2,500.00
ATM 1996, Article 37	Fayville Hall ADA	$ 3,200.00
ATM 1996, Article 35	Town House Parking Lot	$ 205.76
ATM 1996, Article 42	Neary Carpet	$ 1,205.00
ATM 1996, Article 43	Neary/Finn Furniture	$ 508.03
ATM 1997, Article 12	Town House Exterior Repair	$ 2,539.26
ATM 1997, Article 34	Parkerville Landfill	$ 417.68
ATM 1998, Article 34	Sidewalk Main/Parkerville	$ 562.00
ATM 1998, Article 35	Sidewalk Main/Deerfoot	$ 1,800.00
ATM 1998, Article 40	Neary Capital Maint.	$ 2,608.75
ATM 1998, Article 51	Format Copier	$ 13.75
ATM 1999, Article 38	Neary Capital Projects	$ 1,248.16
ATM 2000, Article 24	Police Septic/Repave	$ 19,121.76
ATM 2000, Article 32	Postage System	$ 281.10
ATM 2000, Article 34	Fayville/Central Study	$ 0.39
ATM 2000, Article 39	Finn Moving Costs	$ 1,273.95
ATM 2000, Article 41	K-8 Student Management	$ 9,005.00
ATM 2001, Article 24	Police Cruisers	$ 85.00
ATM 2001, Article 27	Municipal Audit	$ 150.00
GRAND TOTAL		**$ 49,858.62**

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 9: To see if the Town will vote to raise and appropriate, or transfer from any of its available funds and appropriate, the sum of $1,800 to defray expenses of the Memorial Day exercises. Observance exercises are to be under the auspices of the Bagley-Fay Post No. 161 American Legions, and Choate Post No. 3276, Veterans of Foreign Wars, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $1,800 to defray expenses of the Memorial Day exercises. Observance exercises are to be under the auspices of the Bagley-Fay Post No. 161 American Legions, and Choate Post No. 3276, Veterans of Foreign Wars.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 10: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $492,692 for the fiscal year beginning July 1, 2002 and ending June 30, 2003 to pay a portion of the expense of the Worcester County Retirement System, of which the Town is a member, and as required by the Worcester County Commissioners, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $492,692 for the fiscal year beginning July 1, 2002 and ending June 30, 2003 to pay a portion of the expense of the Worcester County Retirement System, of which the Town is a member, and as required by the Worcester County Commissioners.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

ARTICLE 11: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, a sum of money for the purpose of paying to retirees the amount due for accrued vacation and sick time, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $40,000 to pay retirees the amount due for accrued vacation and sick time.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 12: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $12,000 to fund ongoing maintenance of the Town House, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $12,000 to fund ongoing maintenance of the Town House.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 13: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money to fund either rental space for the Council on Aging and Youth and Family Services, or the funds to do minimal renovations to Fayville Hall, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $63,000 for rental space for the Council on Aging and Youth and Family Services.

MOTION (as stated above) **CARRIES BY MAJORITY VOTE**

ARTICLE 14: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money to fund ongoing maintenance of the Fayville Village Hall, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINITELY
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 15: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money to fund monitoring of the Parkerville Road Landfill, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $15,000 for monitoring of the Parkerville Road Landfill.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 16: To see if the Town will vote to raise and appropriate, or transfer from available funds and appropriate, a sum of money for hiring special legal counsel, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $65,000 for hiring a special legal counsel.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 17: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $3,000 for the purpose of funding Marlborough Addictions Referral Center, Inc., a nonprofit drop-in center, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $3,000 for the purpose of funding Marlborough Addictions Referral Center, Inc., a nonprofit drop-in center.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 18: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of continuing implementation of the Town's Geographic Information System, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $126,000 for continuing implementation of the Town's Geographic Information System.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 19: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money for the preparation and implementation of a Stormwater Management Plan as required by the U.S. Environmental Protection Agency, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $40,000 for the preparation and implementation of a Stormwater Management Plan as required by the U.S. Environmental Protection Agency.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 20: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $250,000 for the maintenance of Town roads, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $250,000 for the maintenance of Town roads.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 21: To see if the Town will vote to transfer from available funds and appropriate, a sum of money in anticipation of reimbursement from the Commonwealth for Chapter 90 highway improvements, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town transfer from available funds and appropriate the sum of $365,931 in anticipation of reimbursement from the Commonwealth for Chapter 90 highway improvements.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

ARTICLE 22: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of purchasing Public Works Equipment, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $175,000 for the purpose of purchasing Public Works Equipment.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 23: To see if the Town will vote to accept from the Commonwealth a parcel of land located off of Middle Road for cemetery purposes, said parcel being bounded and described as follows:

Commencing at the point of beginning (as shown on plan) located on the easterly sideline of Middle Road at the bank (annual high water level) of the Sudbury Reservoir, thence running:

Easterly 600± Feet along the bank to a point, thence

N 63° 17' 38" E 13.04'	By land of the Metropolitan District Commission, thence
N 84° 32' 52" E 94.07'	By land of the Metropolitan District Commission, thence
N 05° 49' 38" W 163.84'	By land of the Town of Southborough Cemetery Department, thence
S 03° 53' 06" W 115.25'	By land of the Metropolitan District Commission, thence
S 54° 29' 19" W 37.54'	By land of the Metropolitan District Commission, thence
S 85° 12' 16" W 124.71'	By land of the Metropolitan District Commission, thence
N 73° 29' 39" W 29.84'	By land of the Metropolitan District Commission, thence
N 20° 39' 31" W 105.25'	By land of the Metropolitan District Commission, thence
N 73° 12' 11" W 179.73'	By land of the Metropolitan District Commission, thence
S 63° 42' 21" W 20.15'	By land of the Metropolitan District Commission, thence
S 43° 01' 26" W 79.99'	By land of the Metropolitan District Commission, thence
S 25° 44' 32" W 44.11'	By land of the Metropolitan District Commission, thence
S 28° 30' 55" W 24.44'	By land of the Metropolitan District Commission, thence
S 71° 59' 21" W 43.09'	By land of the Metropolitan District Commission, thence
N 68° 22' 00" W 51.91'	By land of the Metropolitan District Commission, thence
N 70° 32' 36" W 21.24'	By land of the Metropolitan District Commission, thence
S 70° 10' 36" W 89.18'	By land of the Metropolitan District Commission, to a point East of Middle Road, thence
S 32° 25' 41" E 251.90'	By Middle Road, thence
S 32° 25' 41" E 201.52'	By Middle Road to the point of beginning;

The above described premises are to be conveyed with a 40' wide utility easement running East to West further identified on the plan to be used by utility owner for the operation and maintenance of overhead electrical lines. Further, the above described premises are subject to an order of conditions #290-583 issued by the Southborough Conservation Commission.

The above described premised comprise approximately 4.70± acres of land to be used solely by the Town of Southborough for cemetery use only and 1.93± acres of restricted land that maintains a 200' buffer to the reservoir. In the event that land is not used for cemetery purposes, premises shall revert back to the Commonwealth.

, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town accept from the Commonwealth of Massachusetts a parcel of land off of Middle Road for cemetery purposes, as printed in the warrant.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

ARTICLE 24: To see if the Town will vote to transfer from Water Reserve and appropriate, a sum of money for the purpose of increasing capacity and other improvements to the Boland Pump Station, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: TO POSTPONE INDEFINITELY
[Boland Pump Station]
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 25: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, the sum of $52,000 to acquire two new four-door full-size sedan police cruisers and authorize the Board of Selectmen to sell, turn in or otherwise dispose of two police cruisers, or do or act anything in relation thereto. (Proposed by the Police Chief)

MOTION MADE: That the Town raise and appropriate the sum of $52,000 to acquire two new four-door full-size sedan police cruisers and authorize the Board of Selectmen to sell, turn in or otherwise dispose of two police cruisers.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 26: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, the sum of $10,000 to acquire a new boiler system in the Police Station as replacement for the existing unit and authorize the Board of Selectmen to sell, turn in or otherwise dispose of the old boiler system, or do or act anything in relation thereto. (Proposed by the Police Chief)

MOTION MADE: TO POSTPONE INDEFINITELY
[Police boiler]
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 27: To see if the Town will vote to authorize the Board of Selectmen to enter into an inter-municipal agreement for the purpose of allowing cross-jurisdictional law enforcement with the Town of Westborough. Such allowance to be made only at the request of the Police Chief or his/her designee, or take any action thereon. (Proposed by the Police Chief)

MOTION MADE: That the Town authorize the Board of Selectmen to enter into an inter-municipal agreement for the purpose of allowing cross-jurisdictional law enforcement with the Town of Westborough.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 28: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of hiring consulting engineers by various Town departments, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $25,000 for the purpose of hiring consulting engineers by various Town departments.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 29: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, the sum of $19,500 to be used for expenses incurred from a private audit of the Town's financial officers to be carried out by a private firm which meets the standards of the Commonwealth of Massachusetts, Bureau of Accounts, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $19,500 to be used for expenses incurred from a private audit of the Town's financial officers to be carried out by a private firm which meets the standards of the Commonwealth of Massachusetts, Bureau of Accounts.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 30: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $6,156 for the purpose of aiding in the funding of the MetroWest Growth Management Committee, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $6,156 for the purpose of aiding in the funding of the Metro West Growth Management Committee.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 31: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 41, Section 108P: Collectors and treasurers; additional compensation for certifications as municipal collector, treasurer or district treasurer.

> Section 108P: In any city, town or district that accepts this section, a collector or a treasurer who has completed the necessary courses of study and training and has been awarded a certificate by the Massachusetts Collectors and Treasurers Association as a certified Massachusetts municipal collector or a certified Massachusetts municipal treasurer or a certified Massachusetts district treasurer, shall receive as compensation from such city, town or district, in addition to the regular annual compensation paid by such city, town or district for services in such office, an amount equal to 10 per cent of such regular annual compensation, but not more than $1,000 per year. A collector or treasurer who has been awarded both certificates referred to above shall receive such additional compensation for only one such certificate. In order to qualify for such additional compensation, a collector or treasurer shall submit to the mayor or the board of selectmen of such city or town, or the governing board of a district proof of the award of either or both such certificates. The additional compensation provided in this section shall be prorated for any 12 month period in which an eligible person does not hold the office of collector or treasurer for 12 consecutive months. Such additional compensation shall be discontinued when certification is discontinued or withdrawn.

, or do or act anything in relation thereto. (Proposed by the Treasurer)

MOTION MADE: That the Town accept the provisions of Massachusetts General Laws, Chapter 41, Section 108P, Collectors and Treasurers; additional compensation for certifications as municipal collector, treasurer or district treasurer.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 32: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate the sum of $1,000 to compensate a certified Town Treasurer/Collector, or do or act anything in relation thereto. (Proposed by the Treasurer)

ADJOURNED SESSION
ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002

MOTION MADE: That the Town raise and appropriate the sum of $1,000 to compensate a certified Town Treasurer/Collector.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 33: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money to be expended under the direction of the Heritage Day Committee for the purpose of paying the necessary costs associated with the Heritage Day celebration and the Heritage Day parade, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $5,000 to be expended under the direction of the Heritage Day Committee for the purpose of paying the necessary costs associated with the Heritage Day celebration and the Heritage Day parade.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 34: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money to be expended for a 275th celebration, or do or act anything in relation thereto. (Proposed by the Heritage Day Committee)

MOTION MADE: That the Town raise and appropriate the sum of $30,000 to be expended for a 275th celebration.

AMENDMENT TO MOTION: That the Town raise and appropriate the sum of $5,000 to be expended for a 275th celebration.
AMENDMENT FAILS BY MAJORITY VOTE

AMENDMENT TO MOTION: That the Town raise and appropriate the sum of $30,000, $25,000 of which will be put to an override of Proposition 2 and ½ vote for the purpose of funding a portion of the Fiscal Year 2003 275th celebration.
AMENDMENT TO MOTION VOTED UNANIMOUSLY

At **11:00PM** it was voted unanimously to adjourn to the Annual Town Meeting to Tuesday, April 9, 2002 at 7:30PM.

A true copy:
Attest: ______________________
Paul J. Berry, Town Clerk

ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002
ADJOURNED SESSION
TUESDAY, APRIL 9, 2002

At the Annual Town Meeting Adjourned Session duly called and held at the P. Brent Trottier Middle School on Tuesday, April 9, 2002 the following articles were acted upon in a legal manner. There was a quorum present (150 Voters = quorum); 185 Voters were present.

Checkers: Lois Denman   Josephine D. Laptewicz
Alice Gaffney   Janet ME Mattioli
Linda Hubley   Gail B. Rowe

The Town Moderator, John H. Wilson, called the meeting to order at **8:05 PM**.

The following were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers: Charles P. Aspesi   Denise Kofron
Paul M. Cimino   Edward Kofron
Charles G. Ellis, Jr.   Jeremiah D. McGillicuddy

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting:

Vanessa D. Hale, Assistant Town Administrator
Bradford Jackson, Assistant Superintendent of Schools
Jen Kavanaugh, MetroWest Daily News
Rep. Paul J. P. Loscocco, State Representative
John D. Mauro, Jr., Fire Chief
Robert E. Melican, Superintendent of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Paul C. Pisinski, Public Health Director
Victor G. Robidoux, Fire Lt.

There being no objections from the floor, it was voted to allow the above non-voters to remain.

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Adjourned Session of the Annual Town Meeting by the Constable.

ARTICLE 35: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, a sum of money for the purpose of maintenance of equipment, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $3,000 for the purpose of maintenance of equipment.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 36: To see if the Town will vote to raise and appropriate or transfer from any of its available funds and appropriate, a sum of money for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $5,000 for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 37: To see if the Town will vote to renew a revolving fund established under Chapter 44, Section 53 E 1/2, "An Act Authorizing Cities and Towns to Establish Certain Revolving Funds", a revolving fund for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town renew a revolving fund established under Chapter 44, Section 53 E ½, "An Act Authorizing Cities and Towns to Establish Certain Revolving Funds," a revolving fund for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 38: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $10,000 for the purpose of conducting a Household Hazardous Waste Day, or do or act anything in relation thereto. (Proposed by the Board of Health)

MOTION MADE: That the Town raise and appropriate the sum of $10,000 for the purpose of conducting a Household Hazardous Waste Day.

MOTION (as stated above) **CARRIES BY MAJORITY VOTE**

ARTICLE 39: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, a sum of money to fund a Workers' Compensation Claim Reserve Fund as per Massachusetts General Laws, Chapter 40, Section 13C, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $40,000 to fund a Workers' Compensation Claim Reserve Fund as per Massachusetts General Laws, Chapter 40, Section 13C.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 40: To see if the Town will vote to raise and appropriate, borrow and appropriate, or transfer from available funds and appropriate, a sum of money for the purpose of providing final design and construction that would include renovation and code compliance with the ADA (American Disabilities Act) of the Arts Center at the South Union School, or do or act anything in relation thereto. (Proposed by the Southborough Cultural Arts Council)

MOTION MADE: That the Town borrow and appropriate the sum of $610,000 for the renovation of the Arts Center at the South Union School to comply with the Americans with Disabilities Act. This appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at the annual town election.

REQUIRES 2/3 VOTE
AMENDMENT TO MOTION: TO INDEFINITELY POSTPONE ARTICLE 40
AMENDMENT FAILS VOTED BY A MAJORITY VOTE
MOTION (as stated above) **PASSES BY THE FOLLOWING VOTE:** **YES 127**
NO 23

Passed at Annual Town Election May 13, 2002 YES: 791 NO: 758

ARTICLE 41: To see if the Town will vote to raise and appropriate, borrow and appropriate, or transfer from available funds and appropriate, a sum of money for a tot lot at the Arts Center, or do or act anything in relation thereto. (Proposed by the Recreation Facilities Committee and Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINITELY
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 42: To see if the Town will vote to raise and appropriate or borrow and appropriate, a sum of money for the purpose of installing a septic system at the Southborough Public Library, or do or act anything in relation thereto (Proposed by the Board of Library Trustees)

MOTION MADE: That the Town raise and appropriate the sum of $50,000 to install a septic system at the Southborough Town Library.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 43: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $12,500 for the purpose of compensating qualified senior citizens for services rendered to the Town through the Senior Tax Work-off Program, or do or act anything in relation thereto. (Proposed by the Council on Aging)

MOTION MADE: That the Town transfer from overlay reserve and appropriate the sum of $12,500 to compensate qualified senior citizens for services rendered to the town through the Senior Tax Work-off Program.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 44: To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 41A, Tax Deferral for homeowners 65 years or older by amending an applicants gross receipts from $20,000 to an amount not to exceed $40,000, or do or act anything in relation thereto. (Proposed by the Board of Assessors)

MOTION MADE: That the Town accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 41A, Tax Defferal for homeowners 65 years or older by amending an applicants gross receipts from $20,000 to an amount not to exceed $40,000.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 45: To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 17C1/2. The exemption, $175, for certain senior citizens and surviving spouses and minors may increase by 100% of the Consumer Price Index determined annually by the Commission of Revenue, effective fiscal year 2003, or do or act anything in relation thereto. (Proposed by the Board of Assessors)

MOTION MADE: That the Town accept the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause 17C1/2 for the purpose of increasing their exemptions in accordance with the annual adjustment of the Consumer Price Index.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 46: To see if the Town will vote to renew a revolving account authorized to, and for the use of the Southborough Fire Department for the receipt of ambulance fees, in accordance with Massachusetts General Laws, Chapter 44, Section 53E ½. Expenditures for fiscal year 2003 will not exceed one percent (1%) of the amount raised by taxation in fiscal year 2002, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town renew a revolving account authorized to, and for the use of the Southborough Fire Department for the receipt of ambulance fees, in accordance with Massachusetts General Laws, Chapter 44, Section 53E ½. Expenditures for fiscal year 2003 will not exceed one percent (1%) of the amount raised by taxation in fiscal year 2002.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 47: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate the sum of $38,900 for the purpose of purchasing one new Fire Command Vehicle and equipping the same for the Fire Department and authorize the Board of Selectmen to sell, turn in, or otherwise dispose of one Ford Command Vehicle, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town raise and appropriate the sum of $38,900 to purchase one new Fire Command Vehicle and equip the same for the Fire Department and authorize the Board of Selectmen to sell, turn in, or otherwise dispose of one Ford Command Vehicle. This appropriation shall be contingent on passage by a majority vote at the annual election excluding this capital expenditure from Proposition 2 ½.

MOTION (as stated above) **PASSED BY A MAJORITY VOTE**

FAILED at Annual Town Election May 13, 2002 YES: 745 NO: 785

ARTICLE 48: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate the sum of $275,000 to purchase one new Fire Pumping Engine and equipping the same for the Fire Department and authorize the Board of Selectmen to sell, turn in, or otherwise dispose of the 1984 Fire Pumping Engine, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town borrow and appropriate the sum of $275,000 to purchase one new Pumping Engine and equip the same for the Fire Department and authorize the Board of Selectmen to sell, turn in, or otherwise dispose of the 1984 Fire Pumping Engine. This appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at the annual town election.

REQUIRES 2/3 VOTE
MOTION (as stated above) **VOTED UNANIMOUSLY**

Passed at Annual Town Election May 13, 2002 YES: 998 NO: 536

ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002
ADJOURNED SESSION
TUESDAY, APRIL 9, 2002

ARTICLE 49: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate the sum of $75,000 for the purpose of remediation of the floor drains at Fire Headquarters, 21 Main Street and Station 2, 2 Harrington Court, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town raise and appropriate the sum of $75,000 for remediation of the floor drains at Fire Headquarters and Station 2.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 50: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate the sum of $13,000 for the purpose of replacing and upgrading windows at Fire Headquarters, 21 Main Street, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town raise and appropriate the sum of $13,000 to replace the windows at Fire Headquarters.

MOTION (as stated above) **PASSED BY A MAJORITY VOTE**

ARTICLE 51: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, the sum of $35,000 to purchase and/or install an interactive notification system for disaster notification, or do or act anything in relation thereto. (Proposed by the Civil Defense Director)

MOTION MADE: TO POSTPONE INDEFINITELY
[Notification system]
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 52: To see if the Town will vote to dissolve the Municipal Building Planning Committee, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town dissolve the Municipal Building Planning Committee.

MOTION (as stated above) **PASSED BY A MAJORITY VOTE**

ARTICLE 53: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, a sum of money for making extraordinary repairs, renovations and purchasing equipment of a capital nature at the Neary School, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)

MOTION MADE: That the Town raise and appropriate the sum of $99,742 for making extraordinary repairs, renovations and purchasing equipment of a capital nature at the Neary School. This appropriation shall be contingent on passage by a majority vote at the annual town election excluding this capital expenditure from Proposition 2 ½.

MOTION (as stated above) **VOTED UNANIMOUSLY**

Passed at Annual Town Election May 13, 2002 YES: 914 NO: 627

ARTICLE 54: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $81,252 for the FY 2003 installment of the multiyear technology update in all Southborough Public Schools, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)

MOTION MADE: That the Town raise and appropriate the sum of $81,252 for the FY 2003 installment of the multiyear technology update in all Southborough Public Schools. This appropriation shall be contingent on passage by a majority vote at the annual town election excluding this capital expenditure from Proposition 2 ½.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 55: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $75,000 for making improvements to the water drainage system at the Neary School, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)

MOTION MADE: That the Town raise and appropriate the sum of $75,000 for making improvements to the water drainage system at Neary School.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 56: To see if the Town will vote to authorize borrowing by the Northborough-Southborough Regional School Committee, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), as amended, or for the Town of Southborough to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, their share of the sum of $80,090 for the purpose of equipment purchases of a capital nature for the FY 2003 installment of the multiyear technology update at Algonquin Regional High School, or do or act anything in relation thereto. (Proposed by the Northborough-Southborough Regional School Committee)

MOTION MADE: That the Town approve the borrowing by the Northborough-Southborough Regional School District, in accordance with Massachusetts General Laws, Chapter 71, Section 16(d) of the sum of $80,090 for the purpose of equipment purchases of a capital nature for the FY 2003 installment of the multiyear technology update at Algonquin Regional High School. This appropriation shall be contingent on passage by a majority vote at the annual town election excluding this capital expenditure from Proposition 2 ½.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 57: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money for the purchase of a tractor for grounds maintenance, or do or act anything in relation thereto. (Proposed by the Recreation Facilities Committee)

MOTION MADE: That the Town raise and appropriate the sum of $20,000 for the purchase of a tractor for grounds maintenance. This appropriation shall be contingent on passage by a majority vote at the annual town election excluding this capital expenditure from Proposition 2 ½.

MOTION (as stated above) **DEFEATED BY THE FOLLOWING VOTE:** **YES 1**
NO 10

ARTICLE 58: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money to install an irrigation system in a recently upgraded athletic field at the Neary-Trottier campus, or do or act anything in relation thereto. (Proposed by the Recreation Facilities Committee)

MOTION MADE: That the Town raise and appropriate the sum of $25,000 to install an irrigation system in a recently upgraded athletic field at the Neary-Trottier campus. This appropriation shall be contingent on passage by a majority vote at the annual town election excluding this capital expenditure from Proposition 2 ½.

MOTION MADE TO MOVE THE QUESTION
REQUIRES 2/3 VOTE
MOTION PASSED UNANIMOUSLY
MOTION (as stated above) **DEFEATED BY THE FOLLOWING VOTE:** **YES 2**
NO 20

ARTICLE 59: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money to upgrade the ballfield fence(s) at the Mooney Field to meet national Little League standards, or do or act anything in relation thereto. (Proposed by the Recreation Facilities Committee)

MOTION MADE: That the Town raise and appropriate the sum of $29,000 to upgrade the ball field fence(s) at Mooney Field to meet national Little League standards. This appropriation shall be contingent on a passage by a majority vote at the annual town election excluding this capital expenditure from Proposition 2 ½.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 60: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money to replace the ballfield fence at the Neary School Field, or do or act anything in relation thereto. (Proposed by the Recreation Facilities Committee)

MOTION MADE: That the Town raise and appropriate the sum of $22,000 to replace the ball field fence at Neary School field. This appropriation shall be contingent on passage by a majority vote at the annual town election excluding this capital expenditure from Proposition 2 ½.

MOTION (as stated above) **PASSED BY A MAJORITY VOTE**

ARTICLE 61: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money to fund unemployment compensation, or do or act anything in relation thereto. (Proposed by the Treasurer/Collector)

MOTION MADE: That the Town raise and appropriate the sum of $30,00 to fund unemployment compensation.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 62: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money to fund the implementation of the proposed Compensation Schedule, Section 21 of the Salary Administration Plan, or do or act anything in relation thereto. (Proposed by the Personnel Board)

MOTION MADE: TO POSTPONE INDEFINITELY
MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 63: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, $2,000 for the purpose of contributing to the operating budget of the SuAsCo Watershed Community Council, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $2,000 to contribute to the operating budget of SuAsCo Watershed Community Council.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 64: To see if the Town will vote to accept a gift of land described as "Parcel B" on the plans entitled "Definitive Subdivision Plan of Carriage Hill Estates" prepared by Thomas Land Surveyors & engineering Consultants, Inc. and dated September 1, 1999 and revised through April 19, 2000, or do or act anything in relation thereto. (Proposed by Board of Selectmen)

MOTION MADE: That the Town accept a gift of land described as "Parcel B" on plans entitled "Definitive Subdivision Plan of Carriage Hill Estates" prepared by Thomas Land Surveyors & Engineering Consultants, Inc., dated September 1, 1999 and revised through April 19, 2000.

MOTION (as stated above) **VOTED UNANIMOUSLY.**

ARTICLE 65: To see if the Town will vote to approve a granting of easements between the Town and Pilgrim Congregational Church as shown on plan entitled "Easement Plan of Land in Southborough, Mass.", prepared by Thompson-Liston Associates, Inc., dated December 7, 2001, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town approve granting of easements between the Town and Pilgrim Congregational Church as shown on plan entitled "Easement Plan of Land in Southborough, Mass" prepared by Thompson-Liston Associates, Inc., dated December 7, 2001.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 66: To see if the Town will vote to zone a parcel of land formerly in the Town of Westborough from Industrial (Westborough District) to Residential B (Southborough District). The land is defined as portions of assessors map #1 parcels 15,17,18,27 and 28; and portions of map #2 parcels 71,88,90,92 and 94, and further described on the plan entitled "Town Line Plan of Southborough & Westborough, Massachusetts" prepared by Connorstone Consulting Civil Engineers dated January 2, 2001 and revised January 26, 2001. The land currently owned by Tom & Diane Bacon is approximately 6.9 acres and was transferred from Westborough to Southborough by act of both Town Meetings in the spring of 2000.

, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town zone a parcel of land formerly in the Town of Westborough from Industrial (Westborough District) to Residential B (Southborough District).

2/3 VOTE REQUIRED
MOTION (as stated above) **VOTED UNANIMOUSLY**

Approved by the Attorney General on June 28, 2002.

ARTICLE 67: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Article III, Use Regulations, Section 174-8.2 – Residence A District, Paragraph A.(8) to read "Construction of private garage or private parking for not more than three (3) vehicles. One vehicle may be a truck or other commercial vehicle." And to further amend section 174-8.2, Paragraph B.(12) to read "Private garage or parking for more than three (3) vehicles."

, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Article III, Use Regulations, Section 174-8.2 – Residence A District, Paragraph A.(8) to read:

> "Construction of private garage or private parking for not more that three (3) vehicles. One vehicle may be a truck or other commercial vehicle."

And to further amend Section 174-8.2, Paragraph B.(12) to read:

> "Private garage or parking for more than three (3) vehicles."

2/3 VOTE REQUIRED
MOTION (as stated above) **PASSED BY THE FOLLOWING VOTE** **YES 10**
NO 1

Approved by the Attorney General on June 28, 2002.

ARTICLE 68: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Article III, Use Regulations, Sections 174-8.2 Residence A District, Paragraph D.(4) and 174-8.3 Residence B District, Paragraph D.(4) to read: Maximum height: thirty-five (35) feet, two and one-half (2.5) stories [seventeen (17) feet, one (1) story for accessory buildings].

, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Article III, Use Regulations, Section 174-8.2 – Residence A District, Paragraph D.(4) and 174-8.3 – Residence B District, Paragraph D.(4) to read:

> "Maximum height: thirty-five (35) feet, two and one-half (2 ½) stories [seventeen (17) feet, one (1) story for accessory buildings].

AMENDMENT TO MOTION: AMEND ARTICLE 68 TO READ 20 FEET ONE (1) STORY FOR ACCESSORY BUILDINGS.
AMENDMENT DEFEATED BY A MAJORITY VOTE
2/3 VOTE REQUIRED
MAIN MOTION PASSED BY THE FOLLOWING VOTE: **YES 21**
NO 7

Approved by the Attorney General on June 28, 2002.

ARTICLE 69: To see if the Town will vote to amend the Southborough Code Article VI, Section 174-25. Board of Appeals, Paragraph A. by changing the number of associate members appointed by the Board of Selectmen from two (2) to four (4), or do or act anything in relation thereto. (Proposed by the Board of Appeals)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Article VI, Section 174-25, Board of Appeals, Paragraph A by changing the number of associated members appointed by the Board of Selectmen from two (2) to four (4).

MOTION MADE: TO POSTPONE INDEFINTELY
MOTION PASSED TO POSTPONE INDEFINITELY

ARTICLE 70: To see if the Town will vote to amend the Southborough Zoning Code Article III, Section 174-9 Special Permit Requirements, Paragraph D. to read as follows: Large Signs. See Section 174-11, E. Special Permits for Signs.
, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town amend the Code of the Town of Southborough Article III, Section 174-9, Special Permit Requirements, Paragraph D to read:

Large Signs. See Section 174-11, E. Special Permits for Signs.

2/3 VOTE REQUIRED
MOTION (as stated above) **VOTED UNANIMOUSLY**

Approved by the Attorney General on June 28, 2002.

ARTICLE 71: To see if the Town will vote to accept as a public way Metacomet Lane described on a plan entitled "Roadway Acceptance Plan, Metacomet Lane, Southborough, MA." prepared by Connorstone Consulting Civil Engineers, dated October 18, 2001, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Metacomet Lane described on a plan entitled "Roadway Acceptance Plan, Metacomet Lane, Southborough, MA" prepared by Connorstone Consulting Civil Engineers, dated October 18, 2001.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 72: To see if the Town will vote to accept as a public way Schipper Farm Lane described on the plans entitled "Roadway Acceptance Plan, Schipper Farm Lane, Southborough, MA." prepared by Connorstone Consulting Civil Engineers, dated December 10, 2001, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Schipper Farm Lane described on a plan entitled "Roadway Acceptance Plan, Schipper Farm Lane, Southborough, MA" prepared by Connorstone Consulting Civil Engineers, dated December 10, 2001.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ARTICLE 73: To see if the Town will vote to accept as a public way Austin Kelly Lane described on a plan entitled "Roadway Acceptance Plan of Austin Kelly Lane in Southborough, MA." prepared by Elliott J. Paturzo Professional Land Surveyor, dated November 29, 2001, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Austin Kelly Lane described on a plan entitled "Roadway Acceptance Plan of Austin Kelly Lane in Southborough, MA" prepared by Elliott J. Paturzo Professional Land Surveyor, dated November 29, 2001.

MOTION (as stated above) **VOTED UNANIMOUSLY**

ANNUAL TOWN MEETING
MONDAY, APRIL 8, 2002
ADJOURNED SESSION
TUESDAY, APRIL 9, 2002

ARTICLE 74: To see if the Town will vote to accept as a public way Angelica Lane described on a plan entitled "Roadway Acceptance Plan of Angelica Lane in Southborough, MA." prepared by Connorstone Consulting Engineers, dated February 4, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: TO POSTPONE INDEFINITELY ARTICLE 74.
MOTION VOTED UNANIMOUSLY
ARTICLE 75: To see if the Town will vote to accept as a public way Joslin Lane described on the plans entitled "Roadway Acceptance Plan of Joslin Lane and Witherbee Lane in Southborough, MA." prepared by Connorstone Consulting Engineers, dated February 4, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: TO POSTPONE INDEFINITELY ARTICLE 75
MOTION VOTED UNANIMOUSLY

ARTICLE 76: To see if the Town will vote to accept as a public way Witherbee Lane described on the plans entitled "Roadway Acceptance Plan of Joslin Lane and Witherbee Lane in Southborough, MA." prepared by Connorstone Consulting Engineers, dated February 4, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: TO POSTPONE INDEFINITELY ARTICLE 76
MOTION VOTED UNANIMOUSLY

ARTICLE 77: To see if the Town will authorize the Board of Assessors to use free cash in the Town treasury, and if so, what sum for the purpose of reducing the amount to be raised and appropriated and assessed as taxes in the fiscal year beginning July 1, 2002 and ending June 30, 2003, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINITELY ARTICLE 77
MOTION VOTED UNANIMOUSLY

At 10:48PM on Tuesday April 9, 2002 a motion to dissolve the Annual Town Meeting of April 8, 2002 and the Adjourned Session of Tuesday April 9, 2002 was passed unanimously.

A true copy:
Attest: ______________________
Paul J. Berry, Town Clerk

SPECIAL TOWN MEETING
MONDAY, OCTOBER 21, 2002

At the Special Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, October 21, 2002 at 7:30pm the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 226 Voters were present.

Checkers:

Alice Gaffney
Janet ME Mattioli
Lois Denman
Carolyn Ostresh
Linda Hubley
Lydia Kiley

The Town Moderator, John H. Wilson, called the Meeting to order at 7:51pm.

The following Tellers were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:

Charles R. O'Connell
Charles P Aspesi
Michael F Hunt
Howard D Anderson Jr.
Richard K Dinjian, Sr
Jonathan Paul Chorey

Moderator Wilson had requests from the following non-voters to attend the Special Town Meeting:

Dawn E Michanowicz, Assistant Town Clerk, Southborough
Basilio Diaz, Facilities Manager, Southborough
Kathryn Garcia, Recreation Director
John J Mauro, Fire Chief
Robert C. Melican, Superintendent of Schools
Bradford Jackson, Business Manager of Schools
Daniel M. Keyes, Treasurer/Collector, Southborough
D. M. Morchos, Esq., Labor Counsel
State Representative Precinct 1 Stephen LeDuc
Brendon Boyd, Boston Globe
Milton Amadue, MetroWest Daily News
Michelle Muellenberg,
Matthew Rice
John Parry

There being no objections from the floor, it was VOTED to allow the above non-voters to remain.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

It was **VOTED UNANIMOUSLY** to waive the reading of the Special Town Meeting Warrant.

ARTICLE 1: To hear reports of the various Town Officers and Committees and to take such action thereon as the Town may vote. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town hear reports of the various Town Officers and Committees.

MOTION (as stated above) CARRIED UNANIMOUSLY

ARTICLE 2: To see if the Town will vote to raise and appropriate $424,611 to the Stabilization Fund so as to reinstate the funds that were transferred by a vote at the April 2002 Annual Town Meeting to fund the FY 03 Budgets due to the expected decrease in Local Aid that did not occur, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate $424,611 to the Stabilization Fund to reinstate the funds that were transferred by a vote at the April 2002 Annual Town Meeting to fund the FY 03 Budgets due to the expected decrease in Local Aid that did not occur.

MOTION (as stated above) CARRIED UNANIMOUSLY

SPECIAL TOWN MEETING
MONDAY, OCTOBER 21, 2002

ARTICLE 3: To see if the Town will vote to raise and appropriate, borrow or transfer from available funds and appropriate, $100,000 to add to the Fire Department budget for FY 03 for the purpose of funding the collective bargaining agreement between the Town and Local 3129 of International Association of Firefighters, contingent upon a favorable Proposition 2 ½ (majority) vote at a Special Town Election, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

REQUIRES 2/3 VOTE

MOTION MADE: To see if the Town will vote to raise and appropriate a sum of money to add to the Fire Department budget for FY03 for the purpose of funding the collective bargaining agreement between the Town and Local 3129 of International Association of Firefighters contingent upon a favorable Proposition 2 ½ (majority) vote at a Special Town Election.

Attorney Demitrios M. Moschos, Esq., Labor Counsel, spoke on the Article.

AMENDMENT TO MOTION: I move that Article 3 be divided into two parts, one to address the funding of the collective bargaining agreement with the Firefighters and the second to authorize an additional appropriation for the Fire Department budget.

AMENDMENT CARRIES UNANIMOUSLY

AMENDMENT TO MOTION: I move that the Town vote to amend the Fire Department budget for fiscal year 2003 by directing that $100,000 of the previously appropriated $1,348,117 to the Salary Account of the Fire Department's fiscal year 2003 budget, voted under Article 7 of the Annual Town Meeting on April 8, 2002, be specifically dedicated to fund the 2001-2004 collective bargaining between the Town and Local 3129 of International Association of Firefighters.

AMENDMENT CARRIES UNANIMOUSLY

AMENDMENT TO MOTION: I move that the Town vote to amend the Fire Department budget for fiscal year 2003, voted under Article 7 of the Annual Town Meeting of April 8, 2002, by increasing the appropriation under the Salary Account of $100,000, such additional amount to be raised by taxation. Such additional appropriation shall be contingent upon a favorable vote under M.G. L. c. 59, sec. 21C (Proposition 2 ½) at a Special Town Election.

REQUIRES 2/3 VOTE

AMENDMENT CARRIES UNANIMOUSLY

MOTION WITH AMENDMENTS PASSED UNANIMOUSLY

ARTICLE 4: To see if the Town will vote to raise and appropriate, borrow and transfer from available funds and appropriate, a sum of money for removing or demolishing the existing Fayville Village Hall and house at 40 Central Street; and for constructing, originally equipping and furnishing a new Southborough Community Center including the payment of all costs incidental and related thereto, contingent upon a favorable Proposition 2 ½ debt exclusion vote at a Special Town Election, or do or act anything in relation thereto. (Proposed by the Southborough Community Center Building Committee, Council on Aging, Youth Commission, Recreation Commission, Veterans' Agent and VFW Post #3276)

REQUIRES 2/3 VOTE

MOTION MADE: To postpone Article 4 indefinitely.

MOTION TO POSTPONE ARTICLE 4 INDEFINITELY PASSED UNANIMOUSLY

SPECIAL TOWN MEETING
MONDAY, OCTOBER 21, 2002

ARTICLE 5: To see if the Town will vote to amend the Code of the Town of Southborough, by inserting a new section in Chapter 9, Article IV, Permanent Municipal Building Committee, insert a new section, Chapter 9, Article IV, Permanent Municipal Building Committee to the Code of the Town of Southborough. Article IV shall read as follows:

PERMANENT MUNICIPAL BUILDING COMMITTEE

There shall be a Permanent Municipal Building Committee (hereinafter the Committee), consisting of five (5) residents of the Town of Southborough, responsible for the design, construction, reconstruction, renovation, alteration or enlargement of all buildings and/or facilities, owned by the town or constructed on land owned, leased or operated by the town. (Public construction projects and building committees established prior to October 2002, shall not be subject to the requirements of this bylaw.)

1. DEFINITIONS

For the purpose of this bylaw, the following words shall have the specified meanings.

A. As built – drawings and specifications of the actual final completed construction, renovation or modifications to a project. These items will depict the true finished structure, with accurate utilities locations.

B. Architect – a person with educational training and experience in the field of architecture, and/or a professional registration.

C. Building – a structure in a portable or fixed location, with an area of at least one hundred square feet, having a roof or providing shelter, including swimming pools.

D. Clerk of the Works – an individual responsible for day-to-day inspection of a project. He or she shall prepare and maintain detailed daily records of a project's progress and shall report to the project manager.

E. Construction business – a person with the educational training and/or experience in general, commercial, residential, construction of a business as a manager, owner, or estimator, with at least 5 years of experience.

F. Designer - an individual, corporation, partnership, sole proprietorship, Joint Stock Company, limited liability partnership or other entity engaged in the practice of architecture, landscape architecture, or engineering. If the designer is an individual, he or she shall be registered as an architect; landscape architect or engineer in the Commonwealth of Massachusetts, and if the designer is one of the other categories listed above the majority of the partners or owners shall be registered as an architect. Landscape architect or engineer in the Commonwealth of Massachusetts. Draftsmen that have worked under the control of a designer for at least 5 years may be appointed to the Municipal Building Committee.

G. Direct Construction cost – the direct cost for material, labor, administration and equipment to construct, reconstruct, enlarge or alter a building or facility.

H. Engineer – a person with educational training and experience in his or her engineering discipline, and a professional registration.

I. Feasibility study – a report prepared by a designer, or other qualified professional and identifying the needs of a building user as well as alternatives for meeting the user's functional requirements. It includes surveys, testing, and environmental impacts, access for the disabled, complying with Title V and contains time tables and cost estimates.

J. Final design – prepared by a designer, the final design shall include a schematic design, design development, final drawings and specifications, bidding documents and contract documents.

K. Indirect construction cost – architectural, engineering, legal and administrative fees, furnishings and equipment, permit and license fees, project management costs, salaries for the project manager and clerk-of-the-works, financing costs, and project contingencies.

L. Project – a project is a proposed construction, renovation, reconstruction, alteration or enlargement of any building owned by the town or constructed on land owned, leased or operated by the town.

M. Project committee – a committee consisting of the Permanent Municipal Building Committee members and the representatives of a designated user agency for a specific building project. A member of the Municipal Building Committee shall serve as chairperson for all projects committee activities.

N. Project manager – an individual who is licensed and/or registered as an engineer, architect or project manager and acts on behalf of the Municipal Building Committee, and who is responsible for the day-to-day supervision of a project. He or she shall maintain project records, issue emergency directives, and oversee the clerk-of-the-works and other project participants. The project manager shall report to the MBC.

O. Total project cost – the combination of the direct and indirect construction costs.

P. Town agency – an elected or appointed board, committee or commission, including the Board of Selectmen, School Committee, Library Trustees, Recreation Commission, Recreation Facilities Committee, Conservation Commission, Arts Committee or other board, committee, commission or Town department having responsibility for a structure, building or facility.

If any portion of this bylaw is determined by a court of competent jurisdiction to be otherwise unenforceable then the remaining provisions of this bylaw shall continue in full force and effect.

2. APPOINTMENTS AND MEMBERSHIP

A. The Committee shall be appointed by the Town Moderator. Terms shall be for three years each, and shall be staggered, one term expiring on June 30th of each year. Initial appointments shall be one (1) member for one year, two (2) members for two (2) years and two (2) members for three years.

B. Each member appointed to the Committee shall be a registered voter of the Town of Southborough. Individuals who are appointed to the Committee shall to the greatest extent reasonably possible, be chosen from the following professions: (attorney, architect, accountant, engineer, contractor or an individual who is engaged in or involved with the construction business.) In the event that such individuals cannot be appointed, individuals may be selected who do not have such experience and/or expertise but are able and willing to manage the requirements of the position.

C. No member shall be a paid employee of the town, other than a temporary member(s) of the committee. Members shall be independent of any other elected or appointed standing Town Board, Committee or Commission to the extent permissible by applicable law.

D. *Temporary membership:* For each project, there shall be one additional temporary member representing the Town agency who shall have a vote. Temporary members shall attend meetings that relate to their particular project and may provide information with respect to their particular project. For this purpose, temporary members shall be allowed to be non-residents. Before the commencement of a feasibility study or construction, and before any hiring of personnel for a project, the relevant Town agency shall designate one representative (temporary member) to serve on the Committee.

E. *Administrative Member:* The Town's Facilities Manager shall act as administrator for the Committee, and shall be responsible for the scheduling of committee meetings, record keeping and storage, setting agendas, and conducting day to day functions as the committee shall dictate. The Facilities Manager may interact with the Committee during committee meetings, but is not entitled to vote.

F. The Town Clerk shall maintain a register of Committee members and of architects, engineers, contractors, accountants, attorneys and other interested citizens that are willing to serve on the committee.

G. All meetings of the Committee shall be public and all rules and regulations established by the Town of Southborough for town boards and committees to conduct business and to function shall apply.

3. RESPONSIBILITIES

The Committee is responsible for the review of all projects having a total project cost (including feasibility studies and indirect costs) of $100,000 or more. Ordinary and usual repairs, and maintenance projects on existing facilities shall not be part of this committee's responsibilities. The Facilities Manager may elect to refer to the Committee projects of less than $100,000 if he deems it appropriate. The Committee shall serve as the Awarding Authority for all projects under its jurisdiction to the extent permissible under state law. Any public works construction projects which fall under M.G.L. Chapter 30 shall be excluded from the jurisdiction of this Committee.

The Committee shall be responsible for:

A. Technical advice to Town agencies as to feasibility and planning of projects.

B. Participation in feasibility review and modification for projects that may be submitted for approval to Town Meeting or other sources.

C. Design supervision and construction of those projects for which funds and approval has been granted by Town Meeting.
D. Financial review of project costs, bids and budgets.
E. Hiring of architects, engineers, project managers, clerk of the works and other job related personnel
F. Provide information as required to the Town Board of Selectmen, Advisory Committee, Capital Budget Committee, and the Board of Health, and any other board or committee as may be appropriate for a particular project.
G. *Project completion:* Upon the completion of a project, the Committee shall provide the Town agency and the Town's Facilities Manager with a complete and final set of drawings and specifications of the finish structure as-built and all other contract documents, and shall relinquish to the Town Facilities Manager all warranty documents as to the building or facilities or feature thereof materials used therein, or work done thereon. In addition, the Committee shall relinquish the remaining warranty documents as to the project committee to the Town's Facilities Manager for the purpose of maintaining detailed records, including any inventory indicating what warranty documents as to materials and records were deposited with the Town and State.

, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town amend the Code of the Town of Southborough, by inserting a new section in Chapter 9, Article IV. Permanent Municipal Building Committee, insert a new section, Chapter 9, Article IV, Permanent Municipal Building Committee to the Code of the Town of Southborough. Article IV shall read as follows:

PERMANENT MUNICIPAL BUILDING COMMITTEE

(*Amendments since the printing of the Warrant are in bold*)

There shall be a Permanent Municipal Building Committee (hereinafter the Committee), consisting of five (5) residents of the Town of Southborough, responsible for the design, construction, reconstruction, renovation, alteration or enlargement of all buildings and/or facilities, owned by the town or constructed on land owned, leased or operated by the town. (Public construction projects and building committees established prior to October 2002, shall not be subject to the requirements of this bylaw.)

2. DEFINITIONS

For the purpose of this bylaw, the following words shall have the specified meanings.

A. As built – drawings and specifications of the actual final completed construction, renovation or modifications to a project. These items will depict the true finished structure, with accurate utilities locations.
B. Architect – a person with educational training and experience in the field of architecture, and/or a professional registration.
C. Building – a structure in a portable or fixed location, with an area of at least one hundred square feet, having a roof or providing shelter, including swimming pools.
D. Clerk of the Works – an individual responsible for day-to-day inspection of a project. He or she shall prepare and maintain detailed daily records of a project's progress and shall report to the project manager.
E. Construction business – a person with the educational training and/or experience in general, commercial, residential, construction of a business as a manager, owner, or estimator, with at least 5 years of experience.
F. Designer - an individual, corporation, partnership, sole proprietorship, Joint Stock Company, limited liability partnership or other entity engaged in the practice of architecture, landscape architecture, or engineering. If the designer is an individual, he or she shall be registered as an architect; landscape architect or engineer in the Commonwealth of Massachusetts, and if the designer is one of the other categories listed above the majority of the partners or owners shall be registered as an architect. Landscape architect or engineer in the Commonwealth of Massachusetts. Draftsmen that have worked under the control of a designer for at least 5 years may be appointed to the Municipal Building Committee.
G. Direct Construction cost – the direct cost for material, labor, administration and equipment to construct, reconstruct, enlarge or alter a building or facility.
H. Engineer – a person with educational training and experience in his or her engineering discipline, and a professional registration.

I. Feasibility study – a report prepared by a designer, or other qualified professional and identifying the needs of a building user as well as alternatives for meeting the user's functional requirements. It includes surveys, testing, and environmental impacts, access for the disabled, complying with Title V and contains time tables and cost estimates.

J. Final design – prepared by a designer, the final design shall include a schematic design, design development, final drawings and specifications, bidding documents and contract documents.

K. Indirect construction cost – architectural, engineering, legal and administrative fees, furnishings and equipment, permit and license fees, project management costs, salaries for the project manager and clerk-of-the-works, financing costs, and project contingencies.

L. Project – a project is a proposed construction, renovation, reconstruction, alteration or enlargement of any building owned by the town or constructed on land owned, leased or operated by the town.

M. Project committee – a committee consisting of the Permanent Municipal Building Committee members and the representatives of a designated user agency for a specific building project. A member of the Municipal Building Committee shall serve as chairperson for all projects committee activities.

N. Project manager – an individual who is licensed and/or registered as an engineer, architect or project manager and acts on behalf of the Municipal Building Committee, and who is responsible for the day-to-day supervision of a project. He or she shall maintain project records, issue emergency directives, and oversee the clerk-of-the-works and other project participants. The project manager shall report to the MBC.

O. Total project cost – the combination of the direct and indirect construction costs.

Q. Town agency – an elected or appointed board, committee or commission, including the Board of Selectmen, School Committee, Library Trustees, Recreation Commission, Recreation Facilities Committee, Conservation Commission, Arts Committee or other board, committee, commission or Town department having responsibility for a structure, building or facility.

If any portion of this bylaw is determined by a court of competent jurisdiction to be otherwise unenforceable then the remaining provisions of this bylaw shall continue in full force and effect.

2. APPOINTMENTS AND MEMBERSHIP

A. The Committee shall be appointed by the Town Moderator. Terms shall be for three years each, and shall be staggered, one term expiring on June 30th of each year. Initial appointments shall be one (1) member for one year, two (2) members for two (2) years and two (2) members for three years.

B. Each member appointed to the Committee shall be a registered voter of the Town of Southborough. Individuals who are appointed to the Committee shall to the greatest extent reasonably possible, be chosen from the following professions: (attorney, architect, accountant, engineer, contractor or an individual who is engaged in or involved with the construction business.) In the event that such individuals cannot be appointed, individuals may be selected who do not have such experience and/or expertise but are able and willing to manage the requirements of the position.

C. No member shall be a paid employee of the town, **(except the Superintendent of Schools, which by state law must be a member of any school building project)** other than a temporary member(s) of the committee. Members shall be independent of any other elected or appointed standing Town Board, Committee or Commission to the extent permissible by applicable law.

D. *Temporary membership:* For each project, there shall be **two** additional temporary members representing the Town agency who shall have a vote. Temporary members shall attend meetings that relate to their particular project and may provide information with respect to their particular project. For this purpose, temporary members shall be allowed to be non-residents. Before the commencement of a feasibility study or construction, and before any hiring of personnel for a project, the relevant Town agency shall designate one representative (temporary member) to serve on the Committee.

E. *Administrative Member:* The Town's Facilities Manager shall act as administrator for the Committee, and shall be responsible for the scheduling of committee meetings, record keeping and storage, setting agendas, and conducting day to day functions as the committee shall dictate. The Facilities Manager may interact with the Committee during committee meetings, but is not entitled to vote.

F. The Town Clerk shall maintain a register of Committee members and of architects, engineers, contractors, accountants, attorneys and other interested citizens that are willing to serve on the committee.

G. All meetings of the Committee shall be public and all rules and regulations established by the Town of Southborough for town boards and committees to conduct business and to function shall apply.

3. RESPONSIBILITIES

The Committee is responsible for the review of all projects having a total project cost (including feasibility studies and indirect costs) of $100,000 or more. Ordinary and usual repairs, and maintenance projects on existing facilities shall not be part of this committee's responsibilities. The Facilities Manager **in conjunction with the end user and after approval of the Board of Selectmen and/or the School Committee** may elect to refer to the Committee projects of less than $100,000 if he deems it appropriate. The Committee shall serve as the Awarding Authority for all projects under its jurisdiction to the extent permissible under state law. Any public works construction projects which fall under M.G.L. Chapter 30 shall be excluded from the jurisdiction of this Committee.

The Committee shall be responsible for:

A. Technical advice to Town agencies as to feasibility and planning of projects.
B. Participation in feasibility review and modification for projects that may be submitted for approval to Town Meeting or other sources.
C. Design supervision and construction of those projects for which funds and approval has been granted by Town Meeting.
D. Financial review of project costs, bids and budgets.
E. Hiring of architects, engineers, project managers, clerk of the works and other job related personnel
F. Provide information as required to the Town Board of Selectmen, Advisory Committee, Capital Budget Committee, and the Board of Health, and any other board or committee as may be appropriate for a particular project.
G. *Project completion:* Upon the completion of a project, the Committee shall provide the Town agency and the Town's Facilities Manager with a complete and final set of drawings and specifications of the finish structure as-built and all other contract documents, and shall relinquish to the Town Facilities Manager all warranty documents as to the building or facilities or feature thereof materials used therein, or work done thereon. In addition, the Committee shall relinquish the remaining warranty documents as to the project committee to the Town's Facilities Manager for the purpose of maintaining detailed records, including any inventory indicating what warranty documents as to materials and records were deposited with the Town and State.

, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

AMENDMENT TO MOTION: To postpone Article 5 indefinitely.

AMENDMENT TO POSTPONE ARTICLE 5 INDEFINITELY PASSED UNANIMOUSLY

ARTICLE 6: To see if the Town will vote to raise and appropriate $20,700 for the purpose of paying one-half of the cost to replace a 70 year old water main from Common Street to a location between the Town House and Pilgrim Church in order to provide a sprinkler systems and a fire hydrant for both facilities, contingent upon a favorable Proposition 2 ½ (majority) vote at a Special Town Election, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

REQUIRES 2/3 VOTE

MOTION MADE: That the Town raise and appropriate $20,700 for the purpose of paying one-half of the cost to replace a 70 year old water main from Common Street to a location between the Town House and Pilgrim Church in order to provide a sprinkler systems and a fire hydrant for both facilities. This appropriation shall be contingent on passage by a majority vote at the special town election excluding the capital expenditure from Proposition 2 1/2.

MOTION CARRIES UNANIMOUSLY

SPECIAL TOWN MEETING
MONDAY, OCTOBER 21, 2002

ARTICLE 7: To see if the Town will vote to amend the Code of the Town of Southborough, Chapter 9, Article III, Advisory Committee, Section 9-8 Establishment; Membership; residence requirements and Article III, Advisory Committee, Section 9-11, Removal from office as follows:

To strike Section 9-8 in its entirety which currently specifies:

> "There shall be an Advisory Committee, which shall consist of nine (9) voters of the town, other than town officers or employees"

And to insert in place thereof:

> "There shall be an Advisory Committee, which shall consist of nine (9) voters of the town. No member shall be appointed who is a town officer, employee or a member of another Town Committee, appointed or elected."

To strike Section 9-11 in its entirety which currently specifies:

> "Any member of said Committee who shall be elected to any other town office or who shall be absent from the town for four (4) consecutive months or who shall remove from the town shall, upon his/her qualifying for the office to which he was elected or upon absence or removal, cease to be a member of said Committee. The Moderator may rescind an appointment to the Committee if notified by the Chair of the Advisory Committee that the appointee has failed to attend four (4) consecutive meetings and may fill any vacancy for the unexpired term."

And to insert in place thereof:

> "Any member of said Committee who shall be absent from the town for four (4) consecutive months or who shall remove from the town shall, upon his/her qualifying for the office to which he was elected or upon absence or removal, cease to be a member of said Committee. The Moderator may rescind an appointment to the Committee if notified by the Chair of the Advisory Committee that the appointee has failed to attend four (4) consecutive meetings and may fill any vacancy for the unexpired term."

, or do or act anything in relation thereto. (Proposed by the Advisory Committee)

MOTION MADE: That the Town amend the Code of the Town of Southborough, Chapter 9, Article III, Advisory Committee, Section 9-8 Establishment; Membership; residence requirements and Article III, Advisory Committee, Section 9-11, Removal from office as follows:

To strike Section 9-8 in its entirety which currently specifies:

> "There shall be an Advisory Committee, which shall consist of nine (9) voters of the town, other than town officers or employees"

And to insert in place thereof:

> "There shall be an Advisory Committee, which shall consist of nine (9) voters of the town. No member shall be appointed who is a town officer, employee or a member of another Town Committee, appointed or elected."

To strike Section 9-11 in its entirety which currently specifies:

> "Any member of said Committee who shall be elected to any other town office or who shall be absent from the town for four (4) consecutive months or who shall remove from the town shall, upon his/her qualifying for the office to which he was elected or upon absence or removal, cease to be a member of said Committee. The Moderator may rescind an appointment to the Committee if notified by the Chair of the Advisory Committee that the appointee has failed to attend four (4) consecutive meetings and may fill any vacancy for the unexpired term."

And to insert in place thereof:

> "Any member of said Committee who shall be absent from the town for four (4) consecutive months or who shall remove from the town shall, upon his/her qualifying for the office to which he was elected or upon absence or removal, cease to be a member of said Committee. The Moderator may rescind an appointment to the Committee if notified by the Chair of the Advisory Committee that the appointee has failed to attend four (4) consecutive meetings and may fill any vacancy for the unexpired term."

MOTION CARRIES UNANIMOUSLY

Approved by the Attorney General on December 20, 2002.

SPECIAL TOWN MEETING
MONDAY, OCTOBER 21, 2002

ARTICLE 8: To see if the Town will vote to amend the Code of the Town of Southborough, Article III, Advisory Committee by striking the word "Advisory" where it appears in the Article and inserting in place thereof the word "Finance," pursuant to the authority contained in Massachusetts General Laws, Chapter 39, Section 16, as amended, or do or act anything in relation thereto. (Proposed by the Advisory Committee.)

MOTION MADE: That the Town amend the Code of the Town of Southborough, Article III, Advisory Committee by striking the word "Advisory" where it appears in the Article and inserting in place thereof the word "Finance," pursuant to the authority contained in Massachusetts General Laws, Chapter 39, Section 16, as amended.

MOTION DEFEATED BY A MAJORITY VOTE

ARTICLE 9: To see if the Town will vote to raise and appropriate $9,500 to add to the Recreation FY03 Budget for salaries contingent upon a favorable Proposition 2 ½ (majority) vote at a Special Town Election, or do or act anything in relation thereto. (Proposed by the Recreation Commission)

REQUIRES 2/3 VOTE

MOTION MADE: That the Town raise and appropriate $9,500 to add to the Recreation FY03 Budget for salaries contingent upon a favorable Proposition 2 ½ (majority) vote at a Special Town Election.

MOTION PASSED BY THE FOLLOWING VOTE

YES: 130
NO: 62

ARTICLE 10: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate $35,000 to implement safety improvements to the Little League Field at Mooney Field contingent upon a favorable Proposition 2 ½ (majority) vote at a Special Town Election, or do or act anything in relation thereto. (Proposed by the Recreation Facilities Committee)

REQUIRES 2/3 VOTE

MOTION MADE: That the Town raise and appropriate $35,000 to implement safety improvements to the Little League Field at Mooney Field. This appropriation shall be contingent on passage by a majority vote at the special town election excluding this capital expenditure from Proposition 2 ½.

AMENDMENT TO MOTION: to table Article 10.

AMENDMENT TO MOTION PASSED UNANIMOUSLY

ARTICLE 11: To see if the Town will vote to accept as a public way Angelica Lane as described on a plan entitled "Roadway Acceptance Plan of Angelica Lane in Southborough, MA" prepared by Connorstone Consulting Civil Engineers and Land Surveyors, dated September 13, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Angelica Lane as described on a plan entitled "Roadway Acceptance Plan of Angelica Lane in Southborough, MA" prepared by Connorstone Consulting Civil Engineers and Land Surveyors, dated September 13, 2002.

AMENDMENT TO MOTION: To postpone Article 11 indefinitely.

AMENDMENT TO MOTION TO POSTPONE ARTICLE 11 INDEFINITELY CARRIES UNANIMOUSLY

SPECIAL TOWN MEETING
MONDAY, OCTOBER 21, 2002

ARTICLE 12: To see if the Town will vote to accept as a public way Witherbee Lane as described on a plan entitled "The Meadows at Pinehill, Roadway Acceptance Plans Joslin Lane & Witherbee Lane in Southborough, MA" prepared by Connorstone Consulting Civil Engineers and Land Surveyors, dated September 13, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Witherbee Lane as described on a plan entitled "The Meadows at Pinehill, Roadway Acceptance Plans Joslin Lane & Witherbee Lane in Southborough, MA" prepared by Connorstone Consulting Civil Engineers and Land Surveyors, dated September 13, 2002.

AMENDMENT TO MOTION: To postpone Article 12 indefinitely.

AMENDMENT TO MOTION TO POSTPONE ARTICLE 12 INDEFINITELY CARRIES UNANIMOUSLY

ARTICLE 13: To see if the Town will vote to accept as a public way Joslin Lane as described on a plan entitled "The Meadows at Pinehill, Roadway Acceptance Plans Joslin Lane & Witherbee Lane in Southborough, MA" prepared by Connorstone Consulting Civil Engineers and Land Surveyors, dated September 13, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Joslin Lane as described on a plan entitled "The Medows at Pinehill, Roadway Acceptance Plans Joslin Lane & Witherbee Lane in Southborough, MA" prepared by Connorstone Consulting Civil Engineers and Land Surveyors, dated September 13, 2002.

AMENDMENT TO MOTION: To postpone Article 13 indefinitely.

AMENDMENT TO MOTION TO POSTPONE ARTICLE 13 INDEFINITELY CARRIES UNANIMOUSLY

ARTICLE 14: To see if the Town will vote to accept as a public way Hillside Avenue Extension as described on a plan entitled "Roadway Acceptance Plan of Hillside Avenue Extension in Southborough, MA" prepared by Connorstone Consulting Civil Engineers and Land Surveyors, dated September 13, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Hillside Avenue Extension as described on a plan entitled "Roadway Acceptance Plan of Hillside Avenue Extension in Southborough, MA" prepared by Connorstone Consulting Civil Engineers and Land Surveyors, dated September 13, 2002.

AMENDMENT TO MOTION: To postpone Article 14 indefinitely.

AMENDMENT TO MOTION TO POSTPONE ARTICLE 14 INDEFINITELY CARRIES UNANIMOUSLY

ARTICLE 15: To see if the Town will vote to release a 25' wide grading easement on Assessor's Map 10, Lot 71, 14 Liberty Drive in the subdivision know as "Liberty Estates," or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town release a 25' wide grading easement on Assessor's Map 10, Lot 71, 14 Liberty Drive in the subdivision known as "Liberty Estates."

MOTION CARRIES UNANIMOUSLY

SPECIAL TOWN MEETING
MONDAY, OCTOBER 21, 2002

ARTICLE 16: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 59, Sections 5 (41C) 2nd sentence added by St. 2002, Chapter 184, Section 51, effective July 1, 2002, contingent upon passage by the State Legislature, or do or act anything in relation thereto. (Proposed by the Board of Assessors)

[Under this senior option the eligible age will change from 70 years to 65. Income limits for a single individual increase from $13,000 to $20,000; married couple $15,000 to $30,000; Asset Limit, single individual $28,000 to $40,000; married couple $30,000 to $55,000. Amount of exemption will increase from $500 to $1,000.]

MOTION MADE: That the Town accept the provisions of Massachusetts General Laws, Chapter 59, Section 5 (41C) added by St. 2002, Chapter 184, Section 51, effective July 1, 2002.

MOTION CARRIES UNANIMOUSLY

ARTICLE 17: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 59, Section 5K by amending the assistance amount under the Senior Work Program from $500 to $750, effective for FY04, or do or act anything in relation thereto. (Proposed by the Board of Assessors)

MOTION MADE: That the Town accept the provisions of Massachusetts General Laws, Chapter 59, Section 5K by amending the assistance amount under the Senior Work Program from $500 to $750, effective for FY04.

MOTION CARRIES UNANIMOUSLY

ARTICLE 18: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 60, Section 3D which provides a place on municipal tax bills creating a voluntary check off of not less than one dollar for the purpose of establishing a town aid to the elderly and disabled taxation fund, effective July 1, 2003, or do or act anything in relation thereto. (Proposed by the Board of Assessors)

MOTION MADE: That the Town accept the provisions of Massachusetts General Laws, Chapter 60, Section 3D which provides a place on municipal tax bills creating a voluntary check off of not less than one dollar for the purpose of establishing a town aid to the elderly and disabled taxation fund, effective July 1, 2003.

MOTION CARRIES UNANIMOUSLY

MOTION MADE: To take Article 10 from the table before Article 19.

MOTION (as stated above) PASSED UNANIMOUSLY

AMENDMENT TO MOTION ON ARTICLE 10: I move that the Town strike the words "Little League Field at Mooney Field" and insert the words: "Little League Field at Mooney Field and Finn School."

AMENDMENT PASSED BY A MAJORITY VOTE

ARTICLE 10 WITH AMENDMENT PASSED BY THE FOLLOWING VOTE:

REQUIRES 2/3 VOTE

YES: 108
NO: 51

SPECIAL TOWN MEETING
MONDAY, OCTOBER 21, 2002

ARTICLE 19: To see if the Town will vote to raise and appropriate or transfer from available funds, $55,600 to conduct a Feasibility Study of the renovation of the Margaret Neary Elementary School, contingent upon a favorable Proposition 2 ½ (majority) vote at a Special Town Election, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)

MOTION MADE: That the Town transfer the remaining balance of $55,600 from Article 55 of the Annual Town Meeting of 2002 to conduct a Feasibility Study and Options Analysis of the renovation of the Margaret Neary Elementary School, or do anything in relation thereto.

MOTION CARRIES BY A MAJORITY VOTE

ARTICLE 20: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money for constructing, originally equipping and furnishing an addition or additions to the P. Brent Trottier Middle School, including the payment of all costs incidental and related thereto, for remodeling, reconstructing or making extraordinary repairs to the present P. Brent Trottier Middle School, including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Albert S. Woodward School, including the payment of all costs incidental and related thereto for remodeling, reconstructing or making extraordinary repairs to the present Albert S. Woodward School, including costs incidental and related thereto, or do or act anything in relation thereto. (Proposed by the Southborough School Building committee)

MOTION MADE: To postpone Article 20 indefinitely.

MOTION TO POSTPONE ARTICLE 20 INDEFINITELY CARRIES UNANIMOUSLY

MOTION MADE: To dissolve SPECIAL TOWN MEETING of October 21, 2002.

MOTION PASSED UNANIMOUSLY

The SPECIAL TOWN MEETING of MONDAY, October 21, 2002 was dissolved at 10:12 PM.

A true copy:
Attest: ______________________
Paul J. Berry, Town Clerk

ANNUAL TOWN MEETING
MONDAY, APRIL 14, 2003

At the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 14, 2003 at 7:00 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 430 Voters were present.

Checkers:
Lois Denman
Alice Gaffney
Linda Hubley
Josephine D. Laptewicz
Janet ME Mattioli
Lidia A. Kiley

The following were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:
Tellers:
Deborah Marie Kutch
Paul M. Cimino
Stanley G. Adamczyk
Joeseph A Cozzolino, Jr.
Mark E. Fox
Samuel G. Theodoss

The Town Moderator, John H. Wilson, called the meeting to order at **7:22PM**.

The Colors were presented by Junior Girl Scout Troop 2798. Presenting were:
Kelsey O'Hare
Emily Leonard
Fiona Farquhar
Jackie Cole

A moment of silence was held in memory of those persons who have served the Town in the past:
Ralph Johnson
William O'Brien
Ruth Berry
Frances Ghiringhelli
Robert Rynning
Florence Finn Fitzgerald
Anna Labarre
Robert Vanni
Joseph McManus
Mary White

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting:
Brian Ballantine, Treasurer/Collector
Brian Boyd, Freelance Journalist, Globe West
Gene Carlo, Superintendent Assabet
Paul T. Cibelli, Principal Assessor
Philip Cole, Eagle Scout
Basilio Diaz, Facilities Manager
David J. Dockstader, Local Emergency Planning Committee
James Farquhar, Boy Scout
Kathryn Garcia, Director of Recreation
Charles E. Gobron, Director of Curriculum/Instruction
Vanessa D. Hale, Assistant Town Administrator
Karen Hamelin Figueroa, Assistant Treasurer/Collector
Bradford Jackson, Assistant Superintendent of Schools
Peter Johnson, Building Inspector
Vera L. Kolias, Town Planner
John Kustigian, Assabet Valley Regional School
Rep. Steve LeDuc, State Representative
Pam LeFrancois, Senior Center Director
John D. Mauro, Jr., Fire Chief
Victoria Mauro, daughter of Fire Chief
Robert E. Melican, Superintendent of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Michelle Mullenberg, MetroWest Daily News
Paul C. Pisinski, Public Health Director
Laurie Sugarman-Whittier, Director of Youth and Family Services
Lynne Winter, Regional School Committee, Chair

There being no objections from the floor, it was voted to allow the above non-voters to remain.

ANNUAL TOWN MEETING
MONDAY, APRIL 14, 2003

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Annual Town Meeting by the Constable.

MOTION MADE: to waive the reading of the Annual Town Meeting Warrant.

MOTION CARRIED UNANIMOUSLY.

ARTICLE 1: To hear reports of the various Town Officers and Committees and to take such action thereon as the Town may vote. (Proposed by the Board of Selectmen)

MOTION MADE: that the Town hear reports of the various Town Officers and Committees.

REPORTS AS READ: ACCEPTED UNANIMOUSLY.

At 7:48 PM it was voted unanimously to temporarily adjourn the Annual Town Meeting until the completion of the Special Town Meeting.

SPECIAL TOWN MEETING
MONDAY, APRIL 14, 2003

At the Special Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 14, 2003, at 7:49 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum) 430 Voters were present.

Checkers:	Lois Denman	Josephine D. Laptewicz
	Alice Gaffney	Janet ME Mattioli
	Linda Hubley	Lidia A. Kiley

The following were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:
Tellers:

Deborah Marie Kutch	Joeseph A Cozzolino, Jr.
Paul M. Cimino	Mark E. Fox
Stanley G. Adamczyk	Samuel G. Theodoss

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting:

Brian Ballantine, Treasurer/Collector
Brian Boyd, Freelance Journalist, Globe West
Gene Carlo, Superintendent Assabet
Paul T. Cibelli, Principal Assessor
Philip Cole, Eagle Scout
Basilio Diaz, Facilities Manager
David J. Dockstader, Local Emergency Planning Committee
James Farquhar, Boy Scout
Kathryn Garcia, Director of Recreation
Charles E. Gobron, Director of Curriculum/Instruction
Vanessa D. Hale, Assistant Town Administrator
Karen Hamelin Figueroa, Assistant Treasurer/Collector
Bradford Jackson, Assistant Superintendent of Schools
Peter Johnson, Building Inspector
Vera L. Kolias, Town Planner
John Kustigian, Assabet Valley Regional School

Rep. Steve LeDuc, State Representative
Pam LeFrancois, Senior Center Director
John D. Mauro, Jr., Fire Chief
Victoria Mauro, daughter of Fire Chief
Robert E. Melican, Superintendent of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Michelle Mullenberg, MetroWest Daily News
Paul C. Pisinski, Public Health Director
Laurie Sugarman-Whittier, Director of Youth and Family Services
Lynne Winter, Regional School Committee, Chair

There being no objections from the floor, it was voted to allow the above non-voters to remain.

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

It was voted unanimously to waive the reading of the Special Town Meeting Warrant.

At this time the Board of Selectmen conferred the *Environmental Service Award by the Massachusetts Association of Conservation Commissions* to Richard V. Upjohn to honor and recognize him for more than 20 years of service in the protection of Southborough's wetlands and water resources.

ARTICLE 1: To see if the Town will vote to transfer from available funds and appropriate the sum of $44,404 from Receipts Reserved for Appropriation Betterments (Fund 23) to the General Fund Debt Account, Fiscal Year 2003, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town vote to transfer the sum of $44,404 from Receipts Reserved for Appropriation Betterments (Fund 23) to the General Fund Debt Account, Fiscal Year 2003.
MOTION VOTED UNANIMOUSLY.

ARTICLE 2: To see if the Town will vote to accept a gift of land described as Open Space Parcel A, Parcel B, Parcel C, and a Common Space Easement on the subdivision plans entitled "Woodland Estates" prepared by Bruce Saluk & Associates, Inc. dated August 4, 1999 and revised through October 22, 1999. The land, currently owned by RBS Realty Trust, totaling approximately 1.95 acres, 1.57 acres, 0.75 acres, and 1,270 square feet respectively, shall be subject to a conservation restriction. And to further accept a gift of land described as Open Space Parcel A on a plan entitled "Plan of Land in Southborough, Mass." Prepared by McCarthy & Sullivan Engineering, Inc. dated March 10, 2000. The land, currently owned by RBS Realty Trust, totaling 9,562 square feet, shall be subject to same conservation restriction, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town vote to accept a gift of land described as Open Space Parcel A, Parcel B, Parcel C, and a Common Space Easement on the subdivision plans entitled "Woodland Estates" prepared by Bruce Saluk & Associates, Inc. dated August 4, 1999 and revised through October 22, 1999. The land, currently owned by RBS Realty Trust, totaling approximately 1.95 acres, 1.57 acres, 0.75 acres, and 1,270 square feet respectively, shall be subject to a conservation restriction. And to further accept a gift of land described as Open Space Parcel A on a plan entitled "Plan of Land in Southborough, Mass." Prepared by McCarthy & Sullivan Engineering, Inc. dated March 10, 2000. The land, currently owned by RBS Realty Trust, totaling 9,562 square feet, shall be subject to same conservation restriction.
MOTION VOTED UNANIMOUSLY.

SPECIAL TOWN MEETING, continued
MONDAY, APRIL 14, 2003

ARTICLE 3: To see if the Town will vote to transfer from the Ambulance Revolving Fund the sum of $50,000 for the purpose of constructing a garage at Fire Headquarters, 21 Main Street, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: TO POSTPONE ARTICLE 3 INDEFINITELY **PASSED UNANIMOUSLY**.

At 7:55pm a motion was made to dissolve Special Town Meeting was PASSED UNANIMOUSLY.

ANNUAL TOWN MEETING
MONDAY, APRIL 14, 2003

At **7:56PM** it was unanimously voted to resume the Annual Town Meeting of April 14, 2003.

ARTICLE 2: To see if the Town will vote to fix for the fiscal year beginning July 1, 2003 and ending June 30, 2004, the annual salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the General Laws, as amended:

Moderator	50.00	Assessors (3)	2,250.00
Town Clerk	25,000.00	School Committees (10)	500.00
Selectmen (3)	3,000.00	Board of Health (3)	450.00

, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town fix for the fiscal year beginning July 1, 2003 and ending June 30, 2004, the annual salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the General Laws, as amended:

Moderator	50.00	Assessors (3)	2,250.00
Town Clerk	25,000.00	School Committees (10)	500.00
Selectmen (3)	3,000.00	Board of Health (3)	450.00

MOTION VOTED UNANIMOUSLY.

ARTICLE 3: To see if the Town will vote to accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town accept any sum of money from St.Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted.
MOTION VOTED UNANIMOUSLY.

ARTICLE 4: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2003 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2003 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.
MOTION VOTED UNANIMOUSLY.

ARTICLE 5: To hear the report of the Capital Budget Planning Committee, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town hear the report of the Capital Budget Planning Committee **PASSED UNANIMOUSLY.**

ARTICLE 6: To see if the Town will vote to delete Personnel Salary Administration Plan and insert in its place the following:

SALARY ADMINISTRATION PLAN AND PERSONNEL BY-LAWS
OF THE TOWN OF SOUTHBOROUGH

PREAMBLE

This by-law establishes a Salary Administration Plan for the Town of Southborough, which classifies the several position classifications in the Town services into groups, establishes salary schedules, establishes employee benefits and establishes a Personnel Board to administer the by-law and to represent the interest of both the taxpayers and the Town employees covered by the by-law.

The positions of all officers and employees in the service of the Town, whether full-time, part-time, temporary, seasonal, special, casual Civil Service or any other, other than those positions filled by popular election, those under the direction and control of the School Committee, and those encompassed in any officially recognized labor union and/or association, are hereby classified by titles in the groups listed in Schedule A, entitled “Classification Schedule,” as set forth in Section 21 of the by-law.

The classification of positions which are subject to the Welfare Compensation Plan of the Commonwealth of Massachusetts and the scheduled rates therefor effective July 1, 1966 with subsequent amendments, if any, and the applicable provisions of the Massachusetts General Laws relating to the application of rates set forth in the aforementioned Welfare Compensation Plan are hereby incorporated by reference.

SECTION 1. DEFINITIONS AND TERMS

As used in this by-law, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context or by the laws of the Commonwealth:

"Administrative Authority," the elected or appointed official or board having jurisdiction over a function or activity.

"Anniversary Year," is that year commencing on the first day of employment and terminating 365 days thereafter.

"Base Pay," is the compensation paid for the purposes of determining retirement credits and contributions for Town employees by the Town of Southborough.

The Town shall contribute funds as required for each eligible employee in accordance with the procedures and formula established by the Worcester Regional Retirement System and the by-laws of the Town of Southborough.

Contributions shall be made by the Town for:

1. Wages earned during the first eight (8) hours worked in any one day. No contributions shall be made for hours worked in excess of 40 hours per week.
2. Any lump sum bonus which is guaranteed as outlined in the Salary Administration Plan and the Personnel By-Laws of the Town and any collective bargaining agreement in force. Examples of lump sum bonuses are longevity pay and educational bonuses.
3. Vacation pay except when paid in lieu of taking vacation.
4. Sick pay.
5. Holiday pay.

"Casual Position," a position calling for part-time employment, which service does not constitute continuous service; this service is rendered occasionally and without regularity according to the demand therefor.

"Civil Service Law," Chapter 31 of the General Laws of the Commonwealth as amended and all rules and regulations made thereunder; and any special law enacted by the General Court regulating the classification compensation and conditions of employment of officers and employees of the Town under Chapter 31.

"Class," a group of positions in the Town service sufficiently similar in respect to duties and responsibilities so that the same descriptive title may be used to designate each position allocated to the class, that the same qualifications shall be required of the incumbents, that the same tests of fitness may be used to choose qualified employees and that the same scale of compensation can be made to apply with equity.

"Classification Schedule," titles in **Schedules A, B, C, D, E and F** of Section 21 of this by-law.

"Compensation Grade," a range of salary or wage rates appearing in **Schedules A, B, C, D, E and F**.

"Continuous Full-Time Service," employment requiring a predetermined minimum work period and uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Continuous Employment," full-time or part-time employment uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Department," a functional unit of Town government composed of one or more employees.

"Department Head," the person appointed to be responsible for carrying out the duties of a Department.

"Exempt Employee," any employees who are paid a weekly salary.

"Employee,"an employee retained in full-time employment.

"Full-Time Employment," employment for not less than 20 hours per week for fifty-two weeks per annum, minus legal holidays and authorized vacation leave, sick leave, bereavement leave, and other leaves of absence.

"Group," a group of classes appearing in **Schedules A, B, C, D and E** of Section 21.

"Increment," the dollar or percentage difference between step rates.

"Maximum Rate," the highest rate in a range which an Employee normally is entitled to attain.

"Minimum Rate," the rate in a range which is normally the hiring rate of a new employee.

"Non-exempt Employee," any employees who are paid an hourly wage.

"Part-Time Employee," an employee working in part-time employment.

"Part-Time Employment," employment for less than Full-Time Employment, as defined above.

[Personal Rate deleted]

"Position," an office or post of employment in the Town service with duties and responsibilities calling for the Full-Time or Part-Time employment of one person in the performance and exercise thereof, or more than one person sharing the same position.

"Position Class," same as "Class," (a class may include only one position, in which event it is defined as a "single position class").

"Promotion," a change from a position of lower class and compensation grade to a position with greater responsibilities in a higher class and compensation grade.

"Range," the dollar difference between minimum and maximum rates of the assigned grade.

"Rate," a sum of money designated as compensation for personal services on an hourly, weekly, monthly, annual or other basis.

"Salary Schedule," Schedule B of Section 21.

"Single Rate," a rate for specific position class which is not in a designated range.

"Special Position," a position calling for Part-Time employment which, although constituting continuous employment, is not rendered during prescribed working hours, daily, weekly, or annually, but is rendered as required according to the demands for such service.

"Step Rate," rate in a range of compensation grade.

"Temporary Employee," (1) an employee retained in a temporary position as defined herein; (2) any employee holding a temporary appointment under Civil Service Law who does not also have permanent status thereunder.

"Temporary Position," or "Seasonal Position," any position in the Town service which requires or is likely to require the service of one incumbent for a period not exceeding six calendar months, either on a Full-Time or Part-Time basis.

"Town," the Town of Southborough.

SECTION 2. TITLES OF POSITIONS

No persons shall be appointed, employed or paid as an employee in any position subject to the provisions of the Salary Administration Plan and Personnel By-Laws under any title other than those of the Classification Schedule, or under any title other than that of the job, the duties of which are actually performed. The job title in the Classification Schedule of the Plan shall be the official title for all purposes having to do with the position and shall be used to designate the position in all payrolls, budget estimates and official reports, and in every other connection involving personnel and fiscal processes.

SECTION 3. NEW OR CHANGED POSITIONS

Before a new position is established, or the duties of an existing position are so changed that a new level or work demand exists and in effect a new position is created, upon presentation of substantiating data satisfactory to the Personnel Board, the Board shall rate such new changed position and allocate it to its appropriate classification grade and establish the rate change therefor.

SECTION 4. RECLASSIFICATION OF EMPLOYEES

No position may be reclassified to a classification in another grade, either higher or lower, until the Personnel Board shall have determined such a reclassification will be consistent with the provisions of the Salary Administration Plan and Personnel By-Laws.

SECTION 5. JOB DESCRIPTIONS AND INTERPRETATIONS

The Personnel Board shall maintain written job descriptions of the position classes in the Classification Schedule of the Plan, each consisting of a statement describing the essential nature of the work and characteristics that distinguish the class from other classes. Department Heads shall be required to retain current job descriptions and to submit revisions to the Personnel Board after review by the Board of Selectmen or their designated appointee or the appropriate Commissioners or Trustees. The description for any class shall not limit what the duties or responsibilities of any position shall be, or to modify or in any way affect the power of any administrative authority to appoint, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

SECTION 6. COMPENSATION

a. The weekly pay period shall begin at 12:01 a.m. Thursday and shall end at 12:00 a.m. the following Wednesday.

b. Non-exempt employees subject to this Salary Administration Plan shall be paid time and one-half hours worked in the excess of eight (8) in a calendar day and/or 40 hours in one calendar week, provided such hours of work have been authorized by the Department Head.

In addition, all service outside of a non-exempt employee's regularly scheduled tour of duty shall be at the overtime rate. Any employee who is recalled to duty hereunder shall be paid at the overtime rate for all such time and shall be guaranteed a minimum of two (2) hours overtime recall pay.

c. The Salary Schedule of the Salary Administration Plan and Personnel By-Laws set forth as Schedules A, B, C, D, E and F of Section 21 of this by-law, shall consist of the maximum and minimum salaries, in the Classification Schedule. The salary grade shall be the salary range for all position classes allocated to that grade.

d. Amounts paid to employees in reimbursement for expenses incurred in the performance of their duties such as mileage, meals, lodging, dues or similar job-related expenses shall be paid in addition to their compensation. All such payments shall be made as other charges and expenses to the extent budgeted by each department, board or commission. The rate of reimbursement shall be based upon the actual documented expenditure made by the employee, or at rates established by the Internal Revenue Service, supported by that agency's requirements for documentation.

SECTION 7. ADJUSTMENT POLICIES

a. Every employee subject to this plan and who is in continuous Full-Time service of the Town, computed from the date of his/her latest employment, shall be eligible annually for consideration of a merit increase advance to the next higher step rate, one year from the date of his/her latest increase. Such increase is not to exceed one step rate in any single twelve month period until the maximum of the grade is obtained, subject to the approval of the Department Head, and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and the Personnel Board. An evaluation of the employee's performance, in format approved by the Personnel Board, must accompany a letter requesting a merit increase. The Employee shall appear before the Personnel Board prior to it acting on any request for a merit increase. Any employee denied such an increase has the right to appeal, in writing to the Personnel Board, which shall confer with the employee, the Department Head and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and shall decide the matter. The Personnel Board shall approve all adjustments, in advance.

b. Regular Part-Time employees in Schedule C shall be eligible for consideration for merit increases within their grade (between 0 and 4%) one year from the date of their last increase. Special, casual and other Part-Time personnel for whose positions there is a single rate established in Schedule D of Section 21, shall not be eligible for step rate increases.

SECTION 8. TRANSFERS AND PROMOTIONS

a. An employee who is promoted to a job with a higher rate range, or rate of pay shall enter it at the rate recommended by the Department Head with the approval of the Personnel Board, but in no event at a rate in excess of the maximum for such job. The employee may also receive at the time a one step rate increase, provided the maximum for the job is not exceeded, if the Department Head recommends that qualifications and performance warrant it and the Personnel Board approves. If the Department Head feels that there should be a trial period before recommending the promotional one step rate increase, on recommendation of the Department Head, the Personnel Board may approve such a deferred promotional increase at the conclusion of the trial period, not to exceed three (3) months.

b. An employee transferred to a job with a lower rate range, or rate of pay, shall enter it at the rate paid for the previous position or at the maximum rate for the job, whichever is the lower, provided the Personnel Board approves. The employee shall have a right to appeal to the Personnel Board and to be heard thereon, and the Personnel Board shall decide the matter.

SECTION 9. NEW PERSONNEL

a. Physical examinations are required of all employees before being hired consistent with the Town's policies.

b. The hiring rate shall be the minimum of the rate range of the job for which the new employee is hired, unless otherwise authorized by the Personnel Board. Department Heads shall notify the Personnel Board of the hiring of all personnel and their hiring rates.

c. For new regular Full-Time and new regular Part-Time personnel for whose positions there is a rate range and step rates, the first six months of employment shall be a probationary period at the end of which the employee may advance one step rate, provided that the Department Head and the

Personnel Board decide the employee's performance warrants it. The employee shall thereafter be reviewed for a step rate increase one year from the date of the employee's latest increase. This probationary step rate increase shall apply only at the start of employment and shall not apply in case of transfer or promotion from one job to another.

d. During a new employee's probationary period the employee will earn vacation, sick and personal time in accordance with the schedules set for the in Section 11 b (1) and c (4).

SECTION 10. DEPARTMENT BUDGETS

Each Department Head shall include in the annual budget a pay adjustment section to provide funds for anticipated pay adjustment during the ensuing year, expenditures to be made therefrom only in accordance with the Salary Administration Plan and Personnel By-Laws with the approval of the Personnel Board.

SECTION 11. EMPLOYEE BENEFITS

Employee benefits, such as holiday and vacation with pay, sick leave and other such matters, are a cost item to the Town and a form of "indirect pay," and included in the coverage of the Salary Administration Plan and Personnel By-Laws, both those included in the Plan at its adoption and any other which may be included in the future.

a. Holidays with Pay

Each eligible Employee shall receive one day's pay at their regular straight time rate for the following holidays:

New Year's Day
Martin Luther King's Birthday
Presidents' Day
Patriot's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving Day
Christmas Day
Day before or after Christmas Day

To be eligible for holiday pay, an Employee must work both their regular scheduled day preceding and their regular scheduled day following the holiday, or be excused from work pursuant to the provisions for absences with pay listed in the next Section.

An Employee whose regular day off falls on a holiday may elect to have one day off with pay in the following week in lieu of holiday pay, providing the choice of day is approved by the Department Head.

Details as to administrative policies and practices relative to holidays with pay shall be prepared and established under the direction of the Personnel Board.

b. Vacations with Pay

(1) Regular Full-Time Employees who have been in the continuous employ of the Town, as such, shall be paid their regular week's pay or portion thereof as vacation pay in accordance with the following schedule:

Employed for	**Hours Earned per month**
0-5 years	**6.666 hours per month**
5-10 years	**10.0 hours per month**
10-15 years	**13.333 hours per month**
15-20 years	**16.666 hours per month**
20 years or more	**20.0 hours per month**

(2) New employees entering into a position with the Town of Southborough from a similar position in another municipality or similar government agency, will, at the recommendation of the hiring authority, and the approval of the Personnel Board, be allowed to enter into the vacation schedule using their years of service from their prior employment. The probationary period would still apply and no more than three weeks vacation could be used within the first year of employment with the Town of Southborough.

(3) Vacations shall be granted by Department Heads at such time as, in their opinion, will cause the least interference with the performance of the regular work of the Departments. An Employee shall be permitted to carry over up to one year's earned vacation. The Employee must have the Department Head's approval to take any portion of a prior year's unused vacation in addition to the days earned in the current fiscal year.

(4) Vacation accrual shall be increased based on the above schedule, and shall be effective on **the anniversary of the** employee's date of hire.

(5) If, in the opinion of the Department Head, there are unusual circumstances which warrant it, an Employee may, upon request, continue at work and receive vacation pay in lieu of taking vacation.

(6) In the event of termination of employment, which is caused through no fault of the Employee, or by reason of retirement, the Employee shall be paid, or be entitled to time off with pay, for any accumulated vacation time prorated on the basis of service since the Employee's preceding vacation. In the event of the death of any Employee, any accumulated vacation pay shall be paid to the Employee's estate.

(7) Vacation administrative policies and practices shall be prepared and established under the direction of the Personnel Board.

c. Sick Leave

(1) All regular Full-Time Employees shall be entitled to fifteen (15) days sick leave per year. Unused sick leave may be accumulated without limitation. Pay for each day of sick leave shall be at the rate of a regular day's pay. Absences on account of sickness in excess of that authorized may, at the discretion of the Department Head and the Personnel Board, be charged to vacation leave. Sick leave shall be payable only in cases of bona fide illness, non-work-connected accident, or work-connected accidents not covered by Massachusetts General Laws annotated Chapter 152 (Workers' Compensation). At retirement, the Town will pay the Employee twenty (20%) of the Employee's then-accumulated sick leave.

(2) Employees who because of sickness or a non-work-connected accident are absent for a period of more than **three (3)** days shall be required to present a doctor's certificate to their Department Head stating reason and period of time the Employee will be absent from work. The above section is not to be construed by an Employee or Department Head for time off for any sickness caused by over-indulgence in alcohol or narcotics or by his or her misconduct.

(3) An Employee may use up to seven (7) of the allowed fifteen (15) days of sick leave for the care of a sick family member who, in the opinion of the Department Head, is closely associated with the Employee.

(4) Details as to sick leave administrative policies and practices shall be as prepared and established under the direction of the Personnel Board. **Each employee under this plan shall accrue 10 sick hours per month, equaling 120 hours annually (15 sick days); part-time employees will be compensated by a formula based on hours worked per week.**

d. Personal Days

Each Employee shall be entitled to three (3) personal days per year. A Department Head may honor the request for a personal day made by any member of their Department who may have a normally accepted need for a personal day. However, in no event shall personal days for any one Employee exceed three days per year nor shall personal days accumulate from year to year. **Personal days shall be granted annually on an employee's anniversary date. New employees shall be granted three (3) personal days when they commence employment.**

e. Workers' Compensation

Workers' Compensation benefits shall be paid in accordance with the Town's Worker's Compensation Plan.

f. Military Leave

An employee in Full-Time employment in the military reserve shall be paid the difference between compensation received while on reserve duty and regular compensation rates paid to that employee by the Town. Such payment by the Town shall be limited to a period not to exceed two weeks in any twelve month period and shall not include payment to members of the National Guard who may be mobilized during an emergency in the Commonwealth.

g. Jury Duty

Any employee who is called to jury duty shall receive an amount equal to the difference between their normal compensation and the amount (excluding any travel allowance) received from the court, upon presentation of evidence of the amount paid by the court.

h. Miscellaneous Paid Time Off

Working time lost from regularly scheduled work days for reasons listed below shall be without loss of pay, provided such lost time is with authorization of the Department Head:

(1) Bereavement leave - In the event of the death of a spouse, father, mother, children, father-in-law, mother-in-law, brother or sister, **grandparent** or of any person residing with the family of an employee, such employee shall be entitled to receive three (3) days leave for the purpose of the funeral arrangements and burial of said deceased. In the event that travel is required out of state, the Department Head in his or her discretion may authorize two (2) additional days of travel time.
(2) Inoculation required by Municipal Employer.
(3) Red Cross blood donation authorized by the Department.
(4) Medical examinations required by employer.
(5) Attendance at educational programs required or authorized by Town or Department.

i. Court Time Pay

Any employee who normally is on duty at night, or is on vacation, furlough or day off, who is required to attend Court as a witness or in any other capacity arising from the performance of his/her duty or in behalf of the Commonwealth or the Town in any civil or criminal case pending in any Court or before any official governmental board or agency shall be entitled to overtime compensation for every hour or fraction thereof during which they attend or appear, but in no event less than three (3) hours of such overtime pay.

j. Educational Increment

All Full-Time employees subject to the provisions of the Salary Administration Plan and Personnel By-Laws who have earned credits leading to a degree while an employee of the Town in a field applicable to their position as determined by the Department Head, and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and the Personnel Board, in a degree granting program from an accredited college or university, shall receive a one-time bonus, according to the following schedule:

Associates Degree......	$ 800.00
Bachelors Degree.......	$1,200.00
Masters Degree..........	$1,500.00

A copy of the completed transcript or diploma or other appropriate evidence of the completed degree must be presented to the Department Head and a copy to the Board of Selectmen who shall maintain complete and ongoing records for participants.

k. Tuition Reimbursement

The Town will provide tuition reimbursement, so long as:

(1) the course is accredited and pertains to the employee's specific job or position. Such information shall be presented to the Department Head, in writing, prior to enrollment in the course; and

(2) the Department Head, and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees and the Personnel Board, approves of the commitment of Town funds prior to registration by the employee, or the employee assumes responsibility for payment; and

(3) an approved purchase order is issued prior to registration by the employee’s Department Head; and

(4) the employee attains a grade for the course of “C” or better and presents written verification of such grade to the Department Head.

l. Maternity/**Paternity Leave**

(1) **Any** employee who has completed the initial probationary period of six months, who is absent from such employment for a period not exceeding twelve weeks for the purpose of giving birth, caring for a newborn child or adoption of a child, said period to be hereinafter called maternity **or paternity** leave, and who shall give at least two weeks' notice to **his**/her Department Head or supervisor of departure and intention to return, shall be restored to **his**/her previous or a similar position with the same status pay, length of service credit and seniority, where applicable, and other employment benefits for which **he**/she was eligible on the date **his**/her leave commenced.

(2) Accrued sick leave benefits shall be provided for maternity/**paternity** leave purposes under the same terms and conditions which apply to other temporary medical disabilities.

(3) Such maternity/**paternity** leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit benefits, plans or programs for which **he**/she was eligible at the date of **his**/her leave, and any other advantages or rights of **his**/her employment incidental to **his**/her employment position.

m. Group Insurance

The Town will contribute fifty percent (50%) of the cost of an indemnity plan for medical coverage or ninety percent 90% of the cost of the Health Maintenance Organization plan.

SECTION 12. LEAVE OF ABSENCE

a. A leave of absence for valid reasons may be granted by a Department Head, but shall be without compensation.

b. Leaves of absence of over three months' duration, except military leave, shall be considered a break in employment, and on return to work the employee shall have the status of a new employee unless an extension of leave beyond three months has been authorized by the Personnel Board.

SECTION 13. TRANSITIONS BETWEEN FULL-TIME AND PART-TIME STATUS

a. A Part-Time employee shall be eligible for Full-Time (employee) status when the employee has worked over 20 hours a week for a period of at least three consecutive months. This status change requires prior approval by the appropriate Department Head.

b. A Full-Time employee whose hours of employment total less than 20 hours per week, exclusive of legal holidays and authorized vacation leave, sick leave, bereavement leave and other authorized leaves of absence for a period of more than three consecutive months shall be considered to be a Part-Time employee.

SECTION 14. APPOINTMENT OF "ACTING" DEPARTMENT HEADS

a. The Board of Selectmen or the appropriate commissioners or trustees may appoint, where necessary, in the case of the absence of a Department Head for three (3) consecutive weeks, excluding vacation periods, an "Acting" Department Head.

b. These "Acting" employees shall be compensated at an additional step rate of 10% per week. Such pay shall be retroactive only upon the conclusion of three (3) consecutive weeks of service by the "Acting" Department Head.

c. While on "Acting" status, which should be no longer than three (3) months, an employee shall still be eligible for overtime pay when fulfilling regular duties from the previous job beyond normal working hours.

SECTION 15. PERSONNEL BOARD

a. There shall be a Personnel Board to administer the Salary Administration Plan and Personnel By-Laws. Said Board to be appointed by the Moderator, consisting of five voters other than employees of the Town or those regularly serving the Town in any elective capacity. They shall serve without compensation.

b. Future appointments shall be for three years. The Moderator shall fill any vacancies. All members shall continue to hold office until their successors have been appointed and qualified. The Personnel Board may employ assistance and incur expenses as it deems necessary, subject to appropriation of funds thereof.

SECTION 16. DUTIES OF THE PERSONNEL BOARD

a. The Personnel Board shall administer the Salary Administration Plan and Personnel By-Laws and shall establish such policies, procedures and regulations as it deems necessary for the administration of the Plan.

b. The Board shall meet annually in July and organize by the choice of a Chairman and Clerk. The Board shall meet at least monthly, except for the month of August. A majority of the Board shall constitute a quorum for the transaction of business. The votes of the majority of all the members of the Board shall be necessary on any matter upon which it is authorized to or required to pass under the Salary Administration Plan and Personnel By-Laws.

c. The Personnel Board shall maintain records of all employees subject to this Plan, included therein such information as it deems desirable, including without limitation personnel evaluations. Such records are to be kept by the Assistant Town Administrator, under the direction of the Personnel Board. Department Heads shall furnish such information as shall be requested by the Board. The Town Accountant shall also assist the Personnel Board in reviewing matters covered by the Plan and shall bring any issues relating to payment or accounting to the attention of the Board prior to payment.

d. The Personnel Board, from time to time, shall review the Classification Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. The Personnel Board may tentatively add a new class to the Classification Schedule or reallocate an existing class to a different compensation grade, either higher or lower, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting.

e. On or before **November 10th of each year** the Personnel Board may vote an annual adjustment to the Classification Schedule **and establish the effective rate for Step 9 employees of each grade for the next fiscal year,** subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting. The Personnel Board shall base any annual adjustments upon available relevant information, including, but not limited to U.S. Department of Labor Cost of Living indices and salaries paid by equivalent towns for comparable positions.

f. Notwithstanding the foregoing the Personnel Board shall reserve the right to vote no adjustment as long as such determination is voted on or before **November 10th** of each year.

g. The Personnel Board shall, from time to time, review the Salary Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. It shall keep informed as to pay rates and policies outside the services of the Town, and shall recommend to the Town any action which it deems desirable to maintain a fair equitable pay level.

h. Matters that are sent to the Chairman of the Personnel Board by registered mail must be brought before the Board at its next scheduled meeting. Failure of the board to vote to approve or disapprove requests within thirty (30) days of that meeting shall constitute approval of the request. In addition, notice in writing shall be forwarded to the concerned employee and respective Department Head within three (3) days of the Board's decision. Notwithstanding, if the Personnel Board shall so request and the concerned employee and his/her Department Head shall mutually agree, a reasonable extension of these time periods may be granted.

i. Upon recommendation of a Department Head, supported by evidence in writing of special reasons and exceptional circumstances satisfactory to the Personnel Board, said Board may authorize an entrance rate higher than the minimum rate for a position, and such other variances in the Salary Administration Plan and Personnel By-Laws as it may deem necessary for the proper functioning of the services of the Town, and to effectuate the basic intent of the Plan.

SECTION 17. EMPLOYEES AND THE PERSONNEL BOARD

a. All employees presently covered by this Plan shall have the right to request an appointment to confer with the Board on any matter which is of interest or concern to them and which is covered by the Salary Administration Plan and Personnel By-Laws. The employee shall notify the Department Head in writing in advance of his/her desire to discuss the matter with the Board. One of the duties of the Board shall be to foster mutual understanding and good will with the personnel of the Town.

b. To facilitate this, if any employee should feel aggrieved by the operation of any provision of the Plan, he/she shall first discuss the matter with his/her Department Head, in a mutual effort to clear up any problems or misunderstanding.

c. If two weeks after such a conference, a satisfactory understanding and solution of the problem has not been reached, then either the Department Head or the employee may take the matter to the Board. The Board shall hear the parties not later than its next regular meeting. There shall be no discrimination or prejudice by a Department Head against any employee who may take a matter to the Board.

SECTION 18. AMENDMENT OF THE PLAN

The Salary Administration Plan and Personnel By-Laws may be amended in the same manner in which Town By-Laws may be amended; provided, however, that no amendment to the Plan shall be made until it has been presented by a signed petition addressed to and submitted to the Personnel Board, and acted upon by the Board. Upon receipt of such a written petition, the Board, after giving the petitioners, the Department Heads and employees affected at least one week's written notice, shall hold a hearing of the parties interested to consider the proposed amendment. If the Personnel Board shall approve of any such proposed amendment, it shall take the proper steps to bring the proposed amendment before the next annual Town meeting for its consideration and action. If the Personnel Board shall disapprove any such proposed amendment, and failure to act thereof within fifteen days after the hearing shall be deemed disapproved, the petition may then be presented to the next Annual Town Meeting for its consideration and action, if so desired. The Board of its own motion, after a similar hearing and/or conference with parties interested, may propose an amendment to the Plan.

SECTION 19. CIVIL SERVICE LAW

Nothing in this by-law, or in the Salary Administration Plan and Personnel By-Laws, shall be construed to conflict with Chapter 31 of the General Laws, which is the Chapter dealing with the Civil Service Law.

SECTION 20. **SEVERABILITY** PROVISION

In the event that any provision of this by-law, or application thereof, shall be held to be invalid by the proper authorities, this shall not be construed to effect the validity of any other provision, or application thereof, of this by-law.

SECTION 21: CLASSIFICATION SCHEDULE

Grade Level	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
I	30,000	31,200	32,448	33,746	35,096	36,500	37,960	39,479	*
II	35,000	36,400	37,856	39,370	40,945	42,583	44,287	46,059	*
III	40,000	41,600	43,264	44,995	46,794	48,666	50,613	52,638	*
IV	45,000	46,800	48,672	50,619	52,644	54,750	56,940	59,218	*
V	55,000	57,200	59,488	61,868	64,343	66,917	69,594	72,378	*
VI	60,000	62,400	64,896	67,492	70,192	73,000	75,920	78,957	*
VII	75,000	78,000	81,120	84,365	87,740	91,250	94,900	98,696	*

Approved 2.11.03 by the Personnel Board
**Step 9 of the Compensation Schedule will be addressed per Section 16(e) of this plan.*

SCHEDULE A: FULL-TIME SALARY GRADED POSITIONS

Staff Librarian (Hourly)	I
Maintenance Custodian (Hourly)	I
Maintenance Mechanic	II
Animal Control Officer	II
Assistant Director, Council on Aging	II
Outreach Coordinator	II
Program Coordinator, Recreation Commission	II
Assistant Director, Youth & Family Services	III
Children's Librarian	III
Staff Engineer	III
Assistant Town Administrator	IV
Director, Council on Aging	IV
Director of Recreation Commission	IV
Assistant Superintendent, DPW	V
Building Inspector	V
Facilities Manager	V
Library Director	V
Police Lieutenant (to expire 6/30/05)	V
Principal Assessor	V
Public Health Director	V
Town Accountant	V
Town Planner	V
Treasurer-Collector	V
Director, Youth & Family Services	V

SCHEDULE B: (Reserved)

SCHEDULE C: PART-TIME HOURLY GRADED POSITIONS

Seasonal Laborer	1
Library Page (P.T.)	1
Seasonal Laborer II	2
Summer Program Assistant, Youth Commission	2
Page, Library	3
Election Worker (P.T.)	3
Election Warden (P.T.)	4
Clerk, Library	5
Library Custodian	5
Substitute Custodian	5
Secretary, Town Committee	8
Receptionist	8
Tree Warden	11
Administrative Assistant, Youth & Family Services	11

Grade	Minimum	Maximum
1	$5.15	$7.70
2	$8.34	$12.35
3	$8.84	$12.98
4	$9.26	$13.78
5	$9.71	$14.49
6	$10.25	$15.22
7	$10.73	$15.95
8	$11.26	$16.77
9	$11.82	$17.62
10	$12.54	$18.66
11	$13.87	$20.70

SCHEDULE D: PUBLIC SAFETY COMPENSATION
(Positions not covered by Collective Bargaining Agreement)

	GRADE	AMOUNT PER DRILL	AMOUNT PER BOX ALARM
Police Dispatcher (part-time)	8		
Reserve Police Officer (part-time)	9		
Call Fire Lieutenant		$79.07	$30.42
Call Firefighter		$66.90	$24.33
Call Firefighter 2		$30.42	$12.16

When a call fire fighter works in place of a permanent firefighter, he/she is reimbursed on an hourly basis equal to the first step of a permanent firefighter.

SCHEDULE E: MISCELLANEOUS ANNUAL COMPENSATION SCHEDULE

Clerk, Board of Registrars	$1,638.33
Registrar of Voters	$205.66
Town Counsel (plus fees)	$1,704.33
Veterans' Agent and Director of Veterans' Services	$9,836.68

SCHEDULE F- FEE BASED COMPENSATION (Seasonal Personnel)

Junior Playground Counselor	**1**
Senior Playground Counselor	**2**
Assistant Instructor	**2**
Assistant Supervisor	**3**
Monitors	**3**
Lifeguards	**4**
Instructors	**5**
School Monitors	**6**
Activity Coordinator	**6**
Program Driver	**6**
Coordinator Supervisor	**11**

LONGEVITY SCHEDULE

Full-Time Employees - 20 Hours or more *Note:* Compensated on an annual basis

After 5 years	$400
After 10 years	$600
After 15 years	$700
After 20 years	$850
After 25 years	$1,000
After 30 years	$1,200
After 40 years	$1,500

MOTION MADE: That the Town delete the Salary Administration Plan and insert in its place a new Salary Administration Plan, as printed in the Warrant.

MOTION VOTED UNANIMOUSLY.

ARTICLE 7: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money to fund the implementation of the proposed Compensation Schedule, Section 21 of the Salary Administration Plan, or do or act anything in relation thereto. (Proposed by the Personnel Board)

MOTION MADE: TO POSTPONE INDEFINITELY **PASSED UNANIMOUSLY**.

ARTICLE 8: That the Town raise a sum of money not to exceed the sum of $32,290,633, as may be necessary for the Town's use, and make appropriation of the same, or do or act anything in relation thereof. (Proposed by the Board of Selectmen)

MOTION: That the Town raise a sum of money not to exceed the sum of $32,290,633, as may be necessary for the Town's use, and make appropriation of the same.

MOTION: To divide the question.
MOTION PASSED UNANIMOUSLY.

MOTION: To transfer $425,000 from the Stabilization Fund.
REQUIRES 2/3 VOTE
MOTION PASSED UNANIMOUSLY.

MOTION: To take an umbrella vote on those budgets that do not have a hold on them. This one vote will have the effect of voting each separately.
MOTION PASSED UNANIMOUSLY.

MOTION: To pass all budgets that do not have a hold on them.
MOTION PASSED UNANIMOUSLY.

GENERAL GOVERNMENT

BUDGET NAME	*FY 2001 ACTUAL*	*FY 2002 ACTUAL*	*FY2003 BUDGET*	*FY2004 REQUEST*
114 MODERATOR				
700 Other Charges and Expenses	36	20	50	50
MODERATOR TOTAL	**36**	**20**	**50**	**50**
119 ADVISORY COMMITTEE				
700 Other Charges and Expenses	135	135	135	135
ADVISORY COMMITTEE TOTAL	**135**	**135**	**135**	**135**
122 BOARD OF SELECTMEN				
110 Salaries	196,612	199,671	204,502	213,601
100 Total Personal Services	**196,612**	**199,671**	**204,502**	**213,601**
304 Medical Exams	130	130	495	495
342 Legal Notices	3,490	1,381	2,970	2,970
200 Total Purchase of Services	**3,620**	**1,511**	**3,465**	**3,465**
710 Travel	1,158	1,164	1,287	1,287
730 Dues	2,576	2,569	2,641	3,020
732 Subscriptions	1,930	2,356	1,816	565
733 Conferences/Schooling	5,199	6,115	7,239	7,360
782 Miscellaneous	300	110	0	0
700 Total Other Charges and Expenses	**11,163**	**12,314**	**12,983**	**12,232**
BOARD OF SELECTMEN TOTAL	**211,395**	**213,496**	**220,950**	**229,298**

MOTION MADE: To reduce the budget of the Board of Selectmen ($229,298) by $4,700 to a new total of**$224,598.**

MOTION VOTED UNANIMOUSLY.

BUDGET NAME	*FY 2001 ACTUAL*	*FY 2002 ACTUAL*	*FY2003 BUDGET*	*FY2004 REQUEST*
125 GEOGRAPHIC INFORMATION SYSTEMS				
253 Computer Services	0	0	0	4,300
380 Misc. Contract Services	0	0	0	61,000
200 Total Purchase of Services	**0**	**0**	**0**	**65,300**
584 Computer Supplies	0	0	0	2,000
400 Total Supplies	**0**	**0**	**0**	**2,000**
733 Schooling	0	0	0	2,500
700 Total Other Charges and Expenses	**0**	**0**	**0**	**2,500**
854 Computer Equipment	0	0	0	27,210
800 Capital Outlay	**0**	**0**	**0**	**27,210**
GEOGRAPHIC INFORMATION SYSTEMS TOTAL	**0**	**0**	**0**	**97,010**

MOTION MADE: That the GIS budget of $97,010 be reduced by $54,010 to a new total of **$43,000.**

MOTION VOTED UNANIMOUSLY.

BUDGET NAME	*FY 2001 ACTUAL*	*FY 2002 ACTUAL*	*FY2003 BUDGET*	*FY2004 REQUEST*
135 TOWN ACCOUNTANT				
110 Salaries	88,351	93,609	97,899	106,173
100 Total Personal Services	**88,351**	**93,609**	**97,899**	**106,173**
420 Office Supplies	155	246	150	700
400 Total Supplies	**155**	**246**	**150**	**700**
700 Other Charges	**55**	**70**	**94**	**250**
800 Capital Outlay	**0**	**225**	**0**	**250**
TOWN ACCOUNTANT TOTAL	**88,561**	**94,150**	**98,143**	**107,373**
141 ASSESSORS				
110 Salaries	109,872	113,125	119,731	122,003
100 Total Personal Services	**109,872**	**113,125**	**119,731**	**122,003**
380 Misc. Contracted Services	29,500	23,680	20,439	18,000
200 Total Purchase of Services	**29,500**	**23,680**	**20,439**	**18,000**
420 Office Supplies	877	877	1,600	1,200
581 Maps	3,088	2,820	3,000	3,000
582 Deeds & Plans	1,004	795	1,200	1,100
400 Total Supplies	**4,969**	**4,492**	**5,800**	**5,300**
700 Other Charges	**6,398**	**6,000**	**8,600**	**7,800**
800 Capital Outlay	**500**	**1,953**	**0**	**0**
ASSESSORS TOTAL	**151,239**	**149,250**	**154,570**	**153,103**

145 TREASURER/COLLECTOR				
110 Salaries	167,231	141,149	172,959	173,000
100 Total Personal Services	**167,231**	**141,149**	**172,959**	**173,000**
253 Computer Services	1,465	0	0	0
304 Medical Exams	130	0	0	0
341 Telephone	0	590	0	0
380 Misc. Contracted Services	9,098	28,059	14,000	6,500
382 Bank Service Charges	2,040	500	0	0
200 Total Purchase of Services	**12,733**	**29,149**	**14,000**	**6,500**
420 Office Supplies	11,588	7,630	6,080	6,000
400 Total Supplies	**11,588**	**7,630**	**6,080**	**6,000**
700 Other Charges	**3,319**	**4,435**	**5,000**	**5,000**
800 Capital Outlay	**2,032**	**0**	**0**	**0**
TREASURER/COLLECTOR TOTAL	**196,903**	**182,363**	**198,039**	**190,500**

151 LEGAL				
308 Legal Services	89,703	147,299	60,000	60,000
200 Total Purchase of Services	**89,703**	**147,299**	**60,000**	**60,000**
LEGAL TOTAL	**89,703**	**147,299**	**60,000**	**60,000**

152 PERSONNEL BOARD				
380 Misc. Contracted Services	35	6,340	6,400	6,200
200 Total Purchase of Services	**35**	**6,340**	**6,400**	**6,200**
380 Misc. Contracted Services	0	3,637	3,149	3,400
200 Total Purchase of Services	**0**	**3,637**	**3,149**	**3,400**
420 Office Supplies	48	125	120	0
400 Total Supplies	**48**	**125**	**120**	**0**
PERSONNEL BOARD TOTAL	**83**	**6,465**	**6,520**	**6,200**

MOTION MADE: To reduce the budget of the Personnel Board ($6,200) by $2,000 to a new total of **$4,200.**

MOTION VOTED UNANIMOUSLY.

158 ADMINISTRATIVE SUPPORT				
110 Salaries	67,814	75,265	80,100	79,893
100 Total Personal Services	**67,814**	**75,265**	**80,100**	**79,893**
380 Misc. Contracted Services	0	3,637	3,149	3,400
200 Total Purchase of Services	**0**	**3,637**	**3,149**	**3,400**
420 Office Supplies	0	250	1,000	900
400 Total Supplies	0	250	1,000	900
ADMINISTRATIVE SUPPORT TOTAL	**67,814**	**79,152**	**84,249**	**84,193**

MOTION MADE: To reduce the budget of Administrative Support ($84,193) by $1,715 to a new total of **$82,478.**

MOTION VOTED UNANIMOUSLY.

159 CENTRAL SERV/OPS SUPPORT				
110 Salaries	8,291	0	0	0
100 Total Personal Services	**8,291**	**0**	**0**	**0**
253 Computer Services	86,859	96,190	97,051	105,107
273 Postage Meter Rental	0	975	1,300	1,300
340 Printing	5,965	5,650	10,000	7,000
341 Telephone	8,394	8,407	10,100	11,360
344 Postage	20,113	36,525	23,000	23,000
380 Misc. Contracted Services	14,323	7,796	12,405	13,500
200 Total Purchase of Services	**135,654**	**155,543**	**153,856**	**161,267**
420 Office Supplies	5,892	7,011	2,000	1,800
421 Storage of Microfilm	992	1,031	1,000	1,000
422 Photocopying Supplies	2,017	1,045	4,356	4,066
584 Computer Supplies	5,194	7,115	8,860	8,260
400 Total Supplies	**14,095**	**16,202**	**16,216**	**15,126**
733 Conferences/Schooling	13,239	10,849	21,110	16,000
782 Miscellaneous	747	474	2,300	1,620
700 Total Other Charges and Expenses	**13,986**	**11,323**	**23,410**	**17,620**
850 New Equipment	0	425	0	2,000
854 Computer Equipment	18,742	17,623	20,400	18,100
800 Capital Outlay	**18,742**	**18,048**	**20,400**	**20,100**
CENTRAL SERV/OPS SUPPORT TOTAL	**190,768**	**201,116**	**213,882**	**214,113**

MOTION MADE: To reduce the budget of Central Services/OPS Support ($214,113) by $24,459 to a new total of **$189,654.**

MOTION VOTED UNANIMOUSLY.

161 TOWN CLERK

110 Salaries	35,570	38,785	39.802	40,501
100 Total Personal Services	**35,570**	**38,785**	**39.802**	**40,501**
240 Equipment Repairs	0	100	100	100
304 Medical Exams	120	65	0	0
346 Report of Vital Statistics	250	260	260	250
200 Total Purchase of Services	**370**	**425**	**360**	**350**
420 Office Supplies	570	656	400	400
421 Storage of Microfilm	100	100	100	100
583 Dog Licenses	152	500	500	500
400 Total Supplies	**822**	**1,256**	**1,000**	**1,000**
700 Other Charges and Expenses	**960**	**851**	**1,300**	**1,300**
800 Capital Outlay	**500**	**500**	**500**	**500**
TOWN CLERK TOTAL	**38,222**	**41,817**	**42,962**	**43,651**

162 ELECTIONS & REGISTRATION

110 Salaries	49,382	40,464	54,135	48,025
100 Total Personal Services	**49,382**	**40,464**	**54,135**	**48,025**
240 Equipment Repair	0	100	100	100
343 Street Listings	6,816	6,700	6,500	6,500
200 Total Purchase of Services	**6,816**	**6,800**	**6,600**	**6,600**
420 Office Supplies	2,785	3,387	3,625	4,800
580 Town Meeting Expenses	2,475	3,561	3,000	3,000
400 Total Supplies	**5,260**	**6,948**	**6,625**	**7,800**
700 Other Charges and Expenses	**2,322**	**2,732**	**3,332**	**3,332**
800 Capital Outlay	**500**	**9,095**	**500**	**500**
ELECTIONS & REGISTRATION TOTAL	**64,280**	**66,039**	**71,192**	**66,257**

171 CONSERVATION COMMISSION

341 Telephone	511	685	900	900
380 Misc. Contracted Services	0	102	0	0
200 Total Purchase of Services	**511**	**787**	**900**	**900**
420 Office Supplies	147	64	200	100
400 Total Supplies	**147**	**64**	**200**	**100**
700 Other Charges and Expenses	**1,105**	**785**	**2,455**	**2,515**
CONSERVATION COMMISSION TOTAL	**1,763**	**1,636**	**3,555**	**3,515**

175 PLANNING BOARD

110 Salaries	62,978	68,366	67,396	67,396
100 Total Personal Services	**62,978**	**68,366**	**67,396**	**67,396**
340 Printing Services	0	0	300	300
342 Legal Notices	1,308	1,040	400	900
200 Total Purchase of Services	**1,308**	**1,040**	**700**	**1,200**
420 Office Supplies	135	200	200	200
400 Total Supplies	**135**	**200**	**200**	**200**
700 Other Charges and Expenses	**795**	**959**	**1,350**	**850**
800 Capital Outlay	**294**	**0**	**0**	**0**
PLANNING BOARD TOTAL	**65,510**	**70,565**	**69,646**	**69,646**

192 TOWN BUILDINGS, GROUNDS & RECREATION FIELDS

(Town House, Fayville Hall, Historical/Recreation Building)

110 Salaries	44,006	54,195	149,601	160,836
190 Uniforms	0	0	0	400
100 Total Personal Services	**44,006**	**54,195**	**149,601**	**161,236**
210 Electricity	15,143	13,685	15,100	15,100
212 Natural Gas - Heat	13,696	7,458	11,865	11,865
230 Water & Irrigation System	4,273	10,541	12,693	12,693
244 Building Maintenance & Repair	18,865	18,721	25,700	25,700
247 Grounds Maintenance	16,277	12,882	25,000	25,000
380 Grounds & Recreation Fields	77,682	111,076	114,000	114,000
200 Total Purchase of Services	**145,936**	**174,363**	**204,358**	**204,358**
481 Gasoline	53,442	48,441	59,000	59,000
400 Total Supplies	**53,442**	**48,441**	**59,000**	**59,000**
700 Total Other Charges & Expenses	**243**	**0**	**0**	**1,635**
850 New Equipment	3,945	5,478	0	0
800 Capital Outlay	**3,945**	**5,478**	**0**	**0**
TOWN BUILDINGS, GROUNDS & RECREATION FIELDS	**247,572**	**282,477**	**412,959**	**426,229**

MOTION MADE: To reduce the budget of Town Buildings and Grounds ($426,229) by $10,000 to a new total of **$416,229.**

MOTION VOTED UNANIMOUSLY.

PUBLIC SAFETY

210 POLICE DEPARTMENT				
110 Salaries	959,495	1,040,987	1,145,537	1,255,395
190 Employee Allowance	17,960	17,254	16,724	18,350
100 Total Personal Services	**977,455**	**1,058,241**	**1,162,261**	**1,273,745**
210 Electricity	5,318	5,191	5,000	5,000
211 Heat & Oil	5,880	4,473	5,500	5,500
230 Water	140	228	200	200
241 Vehicle Maintenance & Repair	6,679	6,686	6,000	6,000
242 Radio Repair	2,247	1,192	3,000	3,000
243 Service Equipment	4,272	12,377	12,000	13,000
244 Building Maintenance & Repair	2,068	5,693	5,000	5,000
304 Medical Exams	130	1,753	350	350
341 Telephone	4,506	3,185	7,700	7,700
342 Legal Notices	613	1,627	300	300
344 Postage	830	934	900	900
380 Misc. Contracted Services	672	0	0	0
200 Total Purchase of Services	**33,355**	**43,339**	**45,950**	**46,950**
420 Office Supplies	0	0	1,800	2,000
599 Service Supplies	5,704	6,198	5,700	5,700
400 Total Supplies	**5,704**	**6,198**	**7,500**	**7,700**
700 Other Charges	**14,163**	**21,034**	**12,100**	**12,100**
800 Capital Outlay	**10,022**	**1,855**	**4,000**	**4,000**
POLICE DEPARTMENT TOTAL	**1,040,699**	**1,130,667**	**1,231,811**	**1,344,495**

MOTION MADE: To reduce the budget of the Police Department ($1,344,495) by $25,000 to a new total of **$1,319,495.**

MOTION VOTED UNANIMOUSLY.

At this time the Town Moderator, John Wilson, took a moment to honor the Chief of Police, William J. Colleary, Jr. for the many years of service he has given the Town of Southborough. The Chief is retiring in December of 2003. There was a standing ovation from the audience.

220 FIRE DEPARTMENT				
110 Salaries	905,058	1,129,273	1,219,110	1,495,009
190 Employee Allowance	16,457	51,347	31,920	34,750
100 Total Personal Services	**921,515**	**1,180,620**	**1,251,030**	**1,529,759**
210 Electricity	5,492	6,643	7,400	7,400
211 Heat & Oil	7,277	3,578	6,032	6,032
230 Water	571	837	625	625
241 Vehicle Maintenance & Repair	11,860	14,566	18,000	18,000
243 Service Equipment	17,124	18,059	10,000	10,000
244 Building Maintenance & Repair	12,673	15,266	6,000	6,000
341 Telephone	4,729	4,230	6,900	6,900
380 Misc. Contracted Services	0	0	0	0
200 Total Purchase of Services	**59,726**	**63,179**	**54,957**	**54,957**
420 Office Supplies	5,806	6,250	6,200	6,200
480 Grease & Oil	23	0	500	500
510 Fire Prevention Supplies	1,143	1,282	7,010	7,010
599 Service Supplies	9,730	3,094	0	0
400 Total Supplies	**16,702**	**10,626**	**13,710**	**13,710**
700 Other Charges	**11,249**	**17,104**	**13,420**	**13,420**
800 Capital Outlay	**14,702**	**46,809**	**15,000**	**12,000**
FIRE DEPARTMENT TOTAL	**1,023,898**	**1,318,338**	**1,348,117**	**1,623,846**

MOTION MADE: To reduce the budget of the Fire Department ($1,623,846) by $78,000 to a new total of **$1,545,846** **of which $101,000 shall be contingent on passage of a budget override by a majority vote at the Annual Town Election.**

MOTION VOTED UNANIMOUSLY.

At Annual Town Election of May 12, 2003 this motion also passed by a vote of:

Yes	**1,080**
No	**681**

241 BUILDING DEPARTMENT				
110 Salaries	54,995	57,264	59,285	62,262
100 Total Personal Services	**54,995**	**57,264**	**59,285**	**62,262**
304 Medical Exams	65	0	0	0
380 Misc. Contracted Services	495	216	594	300
200 Total Purchase of Services	**560**	**216**	**594**	**300**
420 Office Supplies	71	0	0	0
530 Building Supplies	9	85	767	200
400 Total Supplies	**80**	**85**	**767**	**200**
700 Other Charges	**1,984**	**1,920**	**3,133**	**1,700**
800 Capital Outlay	**1,060**	**1,003**	**990**	**500**
BUILDING DEPARTMENT TOTAL	**58,679**	**60,488**	**64,769**	**64,962**

291 CIVIL DEFENSE				
110 Salaries	965	1,013	6,182	6,910
100 Total Personal Services	**965**	**1,013**	**6,182**	**6,910**
245 Equipment Repairs	0	0	350	350
341 Telephone	247	396	1,100	4,475
380 Misc. Contracted Services	0	0	6,000	0
200 Total Purchase of Services	**247**	**396**	**7,450**	**4,825**
420 Office Supplies	376	0	600	600
400 Total Supplies	**376**	**0**	**600**	**600**
700 Other Charges	**0**	**0**	**0**	**6,000**
800 Capital Outlay	**500**	**748**	**6,668**	**500**
CIVIL DEFENSE TOTAL	**2,088**	**2,157**	**20,900**	**18,835**

MOTION MADE: To reduce the budget of Civil Defense ($18,835) by $15,320 to a new total of **$3,515.**

MOTION VOTED UNANIMOUSLY.

292 ANIMAL CONTROL OFFICER AND ANIMAL INSPECTOR				
110 Salaries	30,040	30,040	32,611	32,611
100 Total Personal Services	**30,040**	**30,040**	**32,611**	**32,611**
270 Facility Rental	3,000	1,800	3,600	3,600
380 Misc. Contracted Services	1,550	450	1,400	1,000
383 Care & Destruction	884	36	1,667	2,700
200 Total Purchase of Services	**5,434**	**2,286**	**6,667**	**7,300**
420 Office Supplies	0	74	150	0
599 Service Supplies	0	0	400	0
400 Total Supplies	**0**	**74**	**550**	**0**
700 Other Charges	**0**	**0**	**3,000**	**0**
800 Capital Outlay	**0**	**0**	**0**	**0**
ANIMAL CONTROL OFFICER AND ANIMAL INSPECTOR TOTAL	**35,474**	**32,400**	**42,828**	**39,911**

MOTION MADE: That the Animal Control Officer budget of $39,911 be raised and appropriated with $29,139 contingent on passage of a budget override by a majority vote at the Annual Town Election.

MOTION VOTED UNANIMOUSLY.

At Annual Town Election of May 12, 2003 this motion passed by a vote of:

Yes	**1,080**
No	**681**

PUBLIC WORKS

420 DEPARTMENT OF PUBLIC WORKS				
110 Salaries	871,356	876,630	1,029,832	1,049,313
190 Employee Allowance	26,808	27,295	30,093	30,821
100 Total Personal Services	**898,164**	**903,925**	**1,059,925**	**1,080,134**
210 Electricity	49,945	56,713	57,000	62,000
211 Heat	16,175	7,377	16,100	16,100
230 Water	689	635	975	975
244 Building Maintenance & Repair	9,653	9,404	11,500	11,500
245 Equipment Repairs	15,274	24,462	18,000	20,000
246 Traffic Signal Maintenance	2,882	1,632	5,000	5,000
250 Meter Repairs	16	500	2,000	2,000
251 Hydrant Repairs	3,288	5,008	4,000	4,000
271 Equipment Rental	1,841	1,576	2,000	2,000
293 Refuse Disposal	175,117	206,896	218,000	227,000
295 Service Connection	2,109	3,188	6,000	6,000
296 MWRA Payment	316,559	492,021	590,000	620,000
297 Snow Removal - Contr.	42,818	11,261	42,350	39,300

420 DEPARTMENT OF PUBLIC WORKS continued

305 Tree Experts	29,299	56,820	57,000	70,000
341 Telephone	11,143	12,039	12,500	12,200
342 Legal Notices	1,552	985	2,100	2,100
344 Postage	3,472	3,620	4,150	4,150
380 Miscellaneous Contracted Services	26,294	34,891	34,000	34,000
200 Total Purchase of Services	**708,135**	**929,028**	**1,082,675**	**1,138,325**
420 Office Supplies	4,584	2,727	4,000	4,000
490 Meals -Snow	1,286	515	900	900
531 Highway Paint	7,576	15,449	14,000	14,000
532 Parts	28,697	27,623	30,000	30,000
534 Gravel, Stone & Fill	3,772	2,519	3,800	3,800
535 Salt & Sand	91,838	58,234	78,500	76,000
537 Bituminous Concrete	3,167	3,122	3,700	3,700
538 Signs	10,391	10,868	10,000	10,000
539 Drainage Materials	113	4,152	3,500	3,500
540 Guard Rail	0	100	500	500
541 Small Tools	2,446	1,873	2,700	2,700
542 DPW Service Supplies	14,580	16,686	13,750	14,250
543 Pipes & Fittings	1,031	3,127	4,500	4,500
544 Meters & Fittings	13,611	12,300	13,000	13,000
400 Total Supplies	**183,092**	**159,295**	**182,850**	**180,850**
700 Other Charges	**2,885**	**3,893**	**4,100**	**4,100**
800 Capital Outlay	**13,780**	**9,583**	**8,500**	**8,500**
DEPARTMENT OF PUBLIC WORKS TOTAL	**1,806,056**	**2,005,724**	**2,338,050**	**2,411,909**

	WATER DIVISION	DPW ALL OTHER	**DPW TOTAL**
100 Personal Services	341,633	738,502	1,080,135
200 Purchase of Services	731,600	406,725	1,138,325
400 Supplies	28,600	152,250	180,850
700 Other Charges	1,990	2,110	4,100
800 Capital Outlay	3,500	5,000	8,500
TOTAL	**1,107,323**	**1,304,587**	**2,411,910**

MOTION MADE: That the Department of Public Works ALL OTHER budget of $1,304,587 be raised and appropriated with $57,079 contingent on passage of a budge override by a majority vote at the Annual Town Election.

MOTION VOTED UNANIMOUSLY.

At Annual Town Election of May 12, 2003 this motion passed by a vote of:

Yes	**1,080**
No	**681**

710 DEBT SERVICE WATER FUND				
Water Extension	0	0	0	40,000
900 DEBT SERVICE	**0**	**0**	**0**	**40,000**
750 INTEREST ON DEBT WATER FUND				
Water Extension	0	0	0	16,000
900 DEBT SERVICE	**0**	**0**	**0**	**16,000**
424 STREET LIGHTS				
210 Electricity	94,960	95,278	105,000	105,000
200 Total Purchase of Services	**94,960**	**95,278**	**105,000**	**105,000**
STREET LIGHTS TOTAL	**94,960**	**95,278**	**105,000**	**105,000**

HUMAN SERVICES

511 BOARD OF HEALTH

110 Salaries	82,759	87,419	92,571	97,524
100 Total Personal Services	**82,759**	**87,419**	**9,.571**	**97,524**
307 Nursing Services	1,500	1,650	2,163	3,300
345 Advertising	66	922	500	400
380 Misc. Contracted Services	2,530	3,948	8,996	4,692
200 Total Purchase of Services	**4,096**	**6,520**	**11,659**	**8,392**
420 Office Supplies	1,320	648	1,500	1,300
599 Service Supplies	0	0	0	0
400 Total Supplies	**1,320**	**648**	**1,500**	**1,300**
700 Other Charges	**5,241**	**5,785**	**6,850**	**6,500**
800 Capital Outlay	**2,112**	**0**	**0**	**0**
BOARD OF HEALTH TOTAL	**95,528**	**100,372**	**112,580**	**113,716**

541 COUNCIL ON AGING				
110 Salaries	35,634	58,570	82,233	83,551
100 Total Personal Services	**35,634**	**58,570**	**82,233**	**83,551**
340 Printing	339	290	300	300
341 Telephone	643	1,151	1,400	0
344 Postage	387	736	1,000	2,700
380 Misc. Contracted Services	7,463	19,970	22,000	23,270
200 Total Purchase of Services	**8,832**	**22,147**	**24,700**	**26,270**
420 Office Supplies	599	526	500	700
599 Service Supplies	1,588	1,263	1,300	1,300
400 Total Supplies	**2,187**	**1,789**	**1,800**	**2,000**
700 Other Charges	**658**	**367**	**1,750**	**1,550**
800 Capital Outlay	**0**	**4,968**	**5,000**	**0**
COUNCIL ON AGING TOTAL	**47,311**	**87,841**	**115,483**	**113,371**

543 VETERANS' SERVICES				
110 Salaries	10,026	9,838	9,838	9,838
100 Total Personal Services	**10,026**	**9,838**	**9,838**	**9,838**
344 Postage	32	32	0	0
200 Total Purchase of Services	**32**	**32**	**0**	**0**
420 Office Supplies	0	0	100	100
400 Total Supplies	**0**	**0**	**100**	**100**
700 Other Charges	**13,873**	**14,627**	**15,567**	**15,567**
VETERANS' SERVICES TOTAL	**23,931**	**24,497**	**25,505**	**25,505**

632 YOUTH COMMISSION				
110 Salaries	84,844	86,653	89,922	100,530
100 Total Personal Services	**84,844**	**86,653**	**89,922**	**100,530**
380 Misc. Contracted Services	10,063	15,452	19,500	9,500
200 Total Purchase of Services	**10,063**	**15,452**	**19,500**	**9,500**
599 Service Supplies	2,818	4,291	5,000	4,600
400 Total Supplies	**2,818**	**4,291**	**5,000**	**4,600**
700 Other Charges	**2,328**	**2,603**	**3,600**	**3,200**
800 Capital Outlay	**2,120**	**0**	**0**	**0**
YOUTH COMMISSION TOTAL	**102,173**	**108,999**	**118,022**	**117,830**

MOTION MADE: To reduce the budget of the Youth Commission ($117,830) by $1,800 to a new total of **$116,030.**

MOTION VOTED UNANIMOUSLY.

CULTURE AND RECREATION

610 LIBRARY				
110 Salaries	213,711	228,436	236,233	245,457
100 Total Personal Services	**213,711**	**228,436**	**236,233**	**245,457**
210 Electricity	10,729	8,383	10,750	11,000
211 Heat & Oil	8,496	4,112	8,440	8,440
230 Water	172	187	200	200
244 Building Maintenance	15,053	16,103	14,000	14,000
245 Equipment Repairs	956	3,033	3,000	4,000
341 Telephone	1,220	1,158	1,500	1,500
200 Total Purchase of Services	**36,626**	**32,976**	**37,890**	**39,140**
420 Office Supplies	2,164	1,982	2,800	2,800
510 Books	50,590	60,641	60,400	62,000
400 Total Supplies	**52,754**	**62,623**	**63,200**	**64,800**
700 Other Charges	**3,642**	**9,937**	**8,450**	**7,450**
850 New Equipment	679	1,010	1,000	1,000
859 Automation/Retrospective Conversion	7,871	5,829	5,650	5,650
800 Capital Outlay	**8,550**	**6,839**	**6,650**	**6,650**
LIBRARY TOTAL	**315,283**	**340,811**	**352,423**	**363,497**

MOTION MADE: To reduce the budget of the Library ($363,497) by $3,000 to a new total of **$360,497** of which $15,701 shall be contingent on the passage of a budget override by a majority at the Annual Town Election.

MOTION VOTED UNANIMOUSLY.

At Annual Town Election of May 12, 2003 this motion passed by a vote of:

Yes	**1,080**
No	**681**

631 RECREATION				
110 Salaries	62,353	82,936	90,750	108,327
100 Total Personal Services	**62,353**	**82,936**	**90,750**	**108,327**
304 Medical Exams	65	130	120	120
340 Printing	1,435	3,005	2,590	2,590
341 Telephone	0	29	0	0
345 Advertising	2,104	1,632	1,200	1,200
380 Misc. Contracted Services	2,365	66	1,000	1,000
200 Total Purchase of Services	**5,969**	**4,862**	**4,910**	**4,910**
420 Office Supplies	0	0	300	300
599 Service Supplies	662	313	600	600
400 Total Supplies	**662**	**313**	**900**	**900**
700 Other Charges	**2,610**	**2,707**	**2,950**	**4,630**
800 Capital Outlay	**99**	**29**	**0**	**0**
RECREATION TOTAL	**71,693**	**90,847**	**99,510**	**118,767**

MOTION MADE: That the Recreation Department budget of $118,767 be raised and appropriated with $18,841 contingent on passage of a budget override by a majority vote at the Annual Town Election.

MOTION VOTED UNANIMOUSLY.

At Annual Town Election of May 12, 2003 this motion passed by a vote of:

Yes	**1,080**
No	**681**

633 HISTORICAL COMMISSION				
340 Printing	65	293	500	475
344 Postage	0	67	150	142
380 Misc. Contracted Services	0	2,508	3,100	2,945
200 Total Purchases of Services	**65**	**2,868**	**3,750**	**3,562**
420 Office Supplies	0	456	200	190
400 Total Supplies	**0**	**456**	**200**	**190**
HISTORICAL COMMISSION TOTAL	**65**	**3,324**	**3,950**	**3,752**

MOTION MADE: That the Historical Commission budget of $3,752 be raised and appropriated and contingent on passage of a budget override by a majority vote at the Annual Town Election.

MOTION VOTED UNANIMOUSLY.

At Annual Town Election of May 12, 2003 this motion passed by a vote of:

Yes	**1,080**
No	**681**

INSURANCE

900 INSURANCE				
170 Blue Cross - Health	39,555	46,165	51,406	58,608
171 HMO - Health	1,105,601	1,316,225	1,593,744	2,068,433
173 Dental - Health	77,915	83,796	84,361	103,641
172 Workers Compensation	0	0	0	104,500
100 Total Personal Services	**1,223,071**	**1,446,186**	**1,729,511**	**2,335,182**
172 Group Life Insurance	5,504	5,794	6,241	6,535
100 Total Personal Services	**5,504**	**5,794**	**6,241**	**6,535**
301 Consulting Services	4,275	7,413	11,000	11,000
200 Total Purchase of Services	**4,275**	**7,413**	**11,000**	**11,000**
742 Liability Package Policy	62,842	164,580	124,775	165,000
746 Police/Fire Accident	18,975	15,361	20,000	20,000
750 Youth Director	229	164	500	500
751 Medicare	101,826	125,389	125,000	125,000
753 Social Security	49,805	54,053	60,000	60,000
700 Total Other Charges and Expenses	**233,677**	**359,547**	**330,275**	**370,500**
INSURANCE TOTAL	**1,466,527**	**1,818,940**	**2,077,027**	**2,723,217**

MOTION MADE: To reduce the Insurance budget ($2,723,217) by $74,000 to a new total of **$2,649,217** of which $10,000 shall be contingent on passage of a budget override by a majority vote at the Annual Town Election.

MOTION VOTED UNANIMOUSLY.

At Annual Town Election of May 12, 2003 this motion passed by a vote of:

Yes	**1,080**
No	**681**

DEBT AND INTEREST

710 DEBT SERVICE GENERAL FUND				
DPW Garage	100,000	100,000	100,000	100,000
Middle School	475,000	475,000	475,000	475,000
Finn School	465,000	465,000	465,000	465,000
Trottier/Finn (April 13, 1998)	0	0	153,871	153,871
Trottier/Finn (April 1, 2000)	0	0	166,129	166,129
School Rec. Facility	0	0	25,000	25,000
Landfill Closure	0	0	55,000	55,000
Trottier/Finn/Woodward	0	0	0	1,060,600
MWPAT Septic	11,101	11,101	11,101	11,101
Arts Center	0	0	0	30,500
Community Center	0	0	0	350,000
Cemetery	0	0	0	60,000
900 Debt Service	**1,051,101**	**1,051,101**	**1,451,101**	**2,952,201**

750 INTEREST ON DEBT GENERAL FUND				
DPW Garage	24,825	20,525	16,125	11,650
Middle School	394,488	371,925	349,363	326,800
Finn School	367,466	337,939	315,154	298,298
Trottier/Finn (April 13, 1998)	0	0	140,381	132,534
Trottier/Finn (April 1, 2000)	0	0	151,564	143,091
School Rec. Facility			19,590	18,315
Landfill Closure			49,665	46,860
Trottier/Finn/Woodward				848,480
Arts Center				24,400
Community Center				3,063
Cemetery				24,000
900 Debt Service	**786,779**	**730,389**	**1,041,842**	**1,877,491**

BUDGET NAME	***FY 2001 ACTUAL***	***FY 2002 ACTUAL***	***FY2003 BUDGET***	***FY2004 REQUEST***
RESERVE FUND	93,328	144,687	150,000	250,000

SCHOOL DEPARTMENT

BUDGET NAME	***FY 2002 ACTUAL***	***FY2003 BUDGET***	***FY2004 REQUEST***
SOUTHBOROUGH SCHOOLS			
REGULAR DAY PROGRAMS			
ADMINISTRATION			
School Committee	13,535	15,500	10,500
Superintendent's Office	141,728	146,737	153,297
Administrative Support	149,363	146,580	152,860
INSTRUCTION			
Supervision	25,269	35,400	35,400
Principals	561,156	628,446	662,670
Teaching	4,434,943	5,006,839	5,161,507
Professional Development	82,577	78,750	77,400
Textbooks & Materials	201,027	170,925	241,502
Instructional Hardware & Software	39,716	40,809	42,467
Library Services	169,930	178,674	188,428
Instructional Equipment	29,688	18,941	28,889
Guidance Services	176,109	174,894	171,502
OTHER STUDENT SERVICES			
Testing	0	0	0
Personnel Services	500	500	500
Health Services	131,765	138,897	149,151
Transportation	212,231	241,392	248,938
Athletics	15,644	15,895	20,900
Student Body Activities	12,864	9,478	16,478
OPERATION & MAINTENANCE OF BUILDING			
Operation of Buildings	799,153	808,783	880,279
Maintenance of Buildings	159,940	173,815	202,698
Extraordinary Maintenance	0	0	27,000
Networking & Telecommunications	45,881	46,358	51,148
FIXED CHARGES			
Rentals & Leases	40,181	49,600	52,825
Retirement Liability	0	0	0
TUITION, OTHER PUBLIC SCHOOL			
Vocational Education	0	0	0
REGULAR DAY PROGRAMS	**7,443,200**	**8,127,213**	**8,476,339**

SPECIAL EDUCATION PROGRAMS – CHAPTER 766			
INSTRUCTION			
Director	82,007	86,224	91,169
Teaching	1,237,784	1,308,930	1,501,762
Professional Development	1,554	4,000	2,000
Instructional Technology	0	2,000	2,000
Psychological Services	245,129	188,889	181,425
OTHER STUDENT SERVICES			
Health Services	51,896	48,000	47,000
Transportation Within	20,152	12,000	26,000
OPERATION & MAINTENANCE OF BUILDINGS			
Operation of Buildings	`7,465	9,000	8,000
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS			
Tuition, Out	646,660	719,073	883,853
Transportation, Out	176,215	202,000	234,593
PROGRAMS, MEMBERS OF COLLABORATIVE			
Assabet Collaborative Assessment	11,461	10,000	11,000
Tuition Out, Collaborative	57,391	137,00	108,406
Transportation Out, Collaborative	25,452	35,000	59,780
SPECIAL EDUCATION – CHAPTER 766	**2,563,166**	**2,762,116**	**3,156,988**

SUMMARY

	FY 2002 ACTUAL	FY 2003 BUDGET	FY 2004 REQUEST
REGULAR DAY PROGRAMS	7,443,200	8,127,213	8,576,339
SPECIAL EDUCATION LOAN*	54,000	0	0
SPECIAL EDUCATION – CHAPTER 766	2,563,166	2,762,116	3,156,988
GRAND TOTAL OPERATING BUDGET	**10,060,366**	**10,889,329**	**11,733,327**

*Loan repaid in full FY02

MOTION MADE: To reduce the budget of the Southborough School Department by $44,767 to a new total of...............**$11,688,560**
of which $303,437 shall be contingent on the passage of a budget override by a majority at the Annual Town Election.

MOTION PASSED BY MAJORITY VOTE.

At Annual Town Election of May 12, 2003 this motion passed by a vote of:

Yes	**1,080**
No	**681**

ALGONQUIN REGIONAL HIGH SCHOOL			
REGULAR DAY PROGRAMS			
ADMINISTRATION			
School Committee	85,548	57,048	55,900
Superintendent's Office	136,044	146,347	152,907
Administrative Support	119,056	130,305	137,716
INSTRUCTION			
Supervision	61,009	63,150	65,680
Principals	471,356	554,237	573,944
Teaching	4,705,002	4,791,156	4,643,993
Professional Development	80,615	49,800	51,800
Textbooks & Materials	255,148	186,683	251,788
Instructional Hardware & Software	35,561	36,261	31,815
Instructional Equipment	45,779	47,684	50,200
Guidance Services	415,447	435,261	458,764
OTHER STUDENT SERVICES			
Testing	2,340	2,800	2,800
Health Services	66,401	70,934	76,864
Transportation	605,716	719,850	739,991
Athletic/ Student Body Activities	516,508	474,421	454,421
Other Student Activities	8,493	8,800	8,800
OPERATION & MAINTENANCE OF BUILDINGS			
Operation of Buildings	614,470	605,624	584,488
Maintenance of Buildings	121,992	105,280	109,780
Payment for Local Northboro Services	0	0	72,500
Extraordinary Maintenance	2,500	0	0
Networking & Telecommunications	27,844	26,040	26,040
FIXED CHARGES			
Rentals & Leases	79,871	98,450	101,450
Insurance	970,727	1,151,643	1,420,211
Retirement Liability	75,841	99,747	99,250
Debt Service	3,535	0	0
TUITION, OTHER PUBLIC SCHOOLS			
Vocational Education	0	0	0
School Choice	10,704	43,000	43,000
REGULAR DAY PROGRAMS	**9,517,507**	**9,904,521**	**10,214,102**

SPECIAL EDUCATION PROGRAMS – CHAPTER 766			
ADMINISTRATION			
Legal Services	0	0	0
INSTRUCTION			
Director	77,535	81,448	85,560
Teaching	455,060	457,277	444,754
Professional Development	2,979	1,400	2,100
Instructional Technology	1,395	700	1,500
Psychological Services	67,993	60,037	70,168
OTHER STUDENT SERVICES			
Health Services	106	1,500	1,500
Transportation Within	30,000	2,500	35,000
OPERATION & MAINTENANCE OF BUILDINGS			
New Equipment	2,094	3,500	3,500
Equipment Maintenance	622	700	700
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS			
Tuition, Out	204,700	302,206	423,226
Transportation, Out	33,847	88,000	40,000
PROGRAMS, MEMBER OF COLLABORATIVE			
Assabet Collaborative Assessment	6,993	7,500	7,800
Tuition Out, Collaborative	129,590	40,000	78,000
Transportation Out, Collaborative	16,097	15,000	20,000
SPECIAL EDUCATION – CHAPTER 766	**1,029,011**	**1,061,768**	**1,213,808**

SUMMARY

BUDGET NAME	*FY 2002 ACTUAL*	*FY2003 BUDGET*	*FY2004 REQUEST*
REGULAR DAY PROGRAMS	9,517,507	9,904,521	10,214,102
SPECIAL EDUCATION – CHAPTER 766	1,029,011	1,061,768	1,213,808
GRAND TOTAL OPERATING BUDGET	**10,546,518**	**10,966,289**	**11,427,910**

ANNUAL TOWN MEETING
MONDAY, APRIL 14, 2003

NORTHBOROUGH – SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2004 BUDGET & ASSESSMENTS – DEPT. OF ED. RECOMMENDED METHOD
VOTED

			65.56% **Northboro**	34.44% **Southboro**
Step 1				
Recommended Operating Budget (FY 2004)*		11,427,910.00		
Less Transportation	725,841.00			
SPED-Transportation	95,000.00	820,841.00		
Less Fixed Charges		0.00		
Net School Spending		10,607,069.00		
Less revenues		0.00		
Subtotal		10,607,069.00		
Less Chapter 70 Aid-Preliminary (House 1)		1,361,266.00		
Less State ward reimbursement		0.00		
Net Budget		9,245,803.00		
Step 2				
Minimum Local Contribution required by Ed Reform			**	**
Step 3				
Difference between Min Contrib. & Net Budget balance		9,245,803.00		
Step 4				
Apportion Step 3 amount by agreement			6,061,548.45	3,184,254.55
Step 5				
Transportation Budget	820,841.00			
Less Aid to Transportation estimated (73%)	529,863.93	290,977.07	190,764.57	100,212.50
Step 6				
Other Operational Costs	0.00			
Less Revenues	0.00	0.00		
Step 7				
Debt Payments Not Exempt from Proposition 2 ½		229,618.00	155,124.00	74,494.00
Step 8				
Total assessments, Min. local contribution plus apportionments		9,766,398.07	6,407,437.02	3,358,961.05
Step 9				
Excess & Deficiency Offset		75,000.00	49,170.00	25,830.00
FY 2004 Assessment Not Exempt from Proposition 2 ½		**9,691,398.07**	**6,358,267.02**	**3,333,131.05**
Step 10				
Debt Payments Exempt from Proposition 2 ½		2,950,425.00	1,990,947.00	959,478.00
Total FY 2004 ASSESSMENT		**12,641,823.07**	**8,349,214.02**	**4,292,609.05**

*School Committee Adopted Budget Dated February 26, 2003
**Information not available from DOE as of January 14, 2003

MOTION MADE: To increase the assessment of the Northborough-Southborough Regional High School ($4,292,609.05) by $70,580.00 to a new total of **$4,363,189.00**

MOTION VOTED UNANIMOUSLY.

NORTHBOROUGH-SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2004 BUDGET & ASSESSMENTS –DEPT. OF ED. RECOMMENDED METHOD
VOTED

Assessment Comparison

Northborough

	Non Exempt	Exempt	Total
FY 2004 Assessment	6,358,267.01	1,990,947.00	8,349.214.01
FY 2003 Assessment	6,014,436.58	341,923.00	6,356,359.58
Dollar Increase	343,830.43	1,649,024.00	1,992,854.43
Percent Increase	5.72%	482.28%	31.35%

ANNUAL TOWN MEETING
MONDAY, APRIL 14, 2003

Southborough

	Non Exempt	Exempt	Total
FY 2004 Assessment	3,333,131.06	959,478.00	4,292,609.06
FY 2003 Assessment	2,832,676.42	159,577.00	2,992,253.42
Dollar Increase	500,454.64	799,901.00	1,300,355.64
Percent Increase	17.67%	501.26%	43.46%

BUDGET NAME	*FY 2002 ACTUAL*	*FY2003 BUDGET*	*FY2004 REQUEST*
ASSABET VALLEY REGIONAL VOC. SCHOOL			
SCHOOL COMMITTEE	89,547	93,010	96,933
SUPERINTENDENT & BUSINESS OFFICE	400,718	414,969	435,868
INSTRUCTION SUPERVISION	292,348	307,229	396,233
PRINCIPAL OFFICE	128,661	133,670	140,996
INSTRUCTION & SUPPLIES	5,785,876	6,263,850	6,466,875
TEXTBOOKS	59,500	63,025	63,025
LIBRARY SERVICES	102,350	105,631	109,334
MULTI-MEDIA	12,500	12,500	12,500
GUIDANCE SERVICES	355,878	403,226	411,766
ATTENDANCE	21,920	22,818	24,324
HEALTH SERVICES	66,869	71,578	76,110
TRANSPORTATION CONTRACTS	826,355	798,654	824,144
TRANSPORTATION SPORTS - FIELD TRIPS	35,451	37,326	37,326
ATHLETICS PROGRAM	242,009	258,392	268,556
STUDENT BODY ACTIVITIES	74,440	83,350	86,020
OPERATION OF PLANT	1,140,853	1,179,641	1,215,947
MAINTENANCE OF PLANT	301,850	304,600	304,600
HEALTH-LIFE-MEDICARE INSURANCE	731,975	809,700	864,195
OTHER INSURANCES	187,075	191,837	199,667
LEASES OF EQUIPMENT	25,000	25,000	25,000
ACQUISITION OF FIXED ASSETS	161,250	177,700	168,200
VOCATIONAL DAY OPERATING BUDGET	**11,042,425**	**11,757,706**	**12,227,619**
RIGHT TO KNOW - ASBESTOS AUDIT	10,000	10,000	10,000
SINGLE AUDIT REQUIREMENT	10,000	12,500	12,500
RIGHT TO KNOW - AUDIT BUDGET	**20,000**	**22,500**	**22,500**
CAPITAL PROJECT ROOF (P & I)	0	0	0
SPECIAL NEEDS	683,160	719,673	741,875
TOTAL BUDGET	**11,745,585**	**12,499,879**	**12,991,994**
SOUTHBORO ASSESSMENT	**158,132**	**185,410**	**189,119**

MOTION MADE: To increase the assessment of the Assabet Valley Regional Vocational School ($189,119) by $27,921 to a new total of..**$217,040**

MOTION VOTED UNANIMOUSLY.

MOTION MADE: That the Town raise a sum of money not to exceed **$ 32,050,364** as may be necessary for the Town's use, and make appropriations for the same.

Transfer from the Cemetery Perpetual Care	$15,000.
Transfer from Free Cash	$1,309,704.
Transfer from Overlay Reserve	$100,000.
Transfer from Stabilization Fund	$425,000.
Transfer from Ambulance fees	$140,000.
Transfer from Tax Title Fund	$50,000.
Transfer from Septic Betterment	$11,101.
Transfer from Engineering Article 28 of ATM 2002	$15,000.

That the balance of **$29,984,559** be raised and appropriated, with **$538,949** contingent on passage of a budget override by a majority vote at the Annual Town Election.

MOTION VOTED UNANIMOUSLY.

A True copy:
Attest:______________________
Paul J. Berry, Town Clerk

ARTICLE 9: To see if the Town will vote to transfer to Surplus Revenue Account (Excess and Deficiency) a sum of money, or do or act anything in relation thereto. (Proposed by the Town Accountant and the Board of Selectmen)

MOTION MADE: That the Town transfer to Surplus Revenue Account (Excess and Deficiency) the following sums:

Article	Purpose	Amount
STM 1996, Article 1	Elevator Renovation	$122.16
ATM 2000, Article 67	Thermal Imaging Camera	$526.82
ATM 2001, Article 35	Large Format Printer	$430.00
ATM 2001, Article 52	Neary Classrooms	$1,333.00
ATM 2001, Article 53	Neary Furniture	$66.04
ATM 2001, Article 55	Supt. Furn/Equip	$3,816.82
ATM 2002, Article 48	Fire Pumping Engine	$73.00
ATM 2002, Article 25	Police Cruisers	$1,793.00
	Workers' Compensation	$18,113.04

AMENDMENT TO MOTION: that the sum of money be transferred to Surplus Revenue Account from the following articles:

STM 1994, Article 16	Recreation Facilities Study	$3,750.00
ATM 1994, Article 32	Recreation Outdoor Facilities	$10.68
STM 1996, Article 18	Recreation Fields at Woodward	$195.40
ATM 1999, Article 46	Recreation Outdoor Facilities	$21.98

And add the additional four Articles totaling $3,978.06 to the main motion for a grand total of $30,251.94 **VOTED UNANIMOUSLY.**

AMENDMENT TO AMENDMENT: Move to withhold the $3,750.00 of STM 1994, Article 16 Recreation Facilities Study from the total.
AMENDMENT (amended): **FAILS BY MAJORITY VOTE.**

MOTION WITH AMENDMENT PASSED UNANIMOUSLY.

ARTICLE 10: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $1,800 to defray expenses of the Memorial Day exercises. Observance exercises are to be under the auspices of the Bagley-Fay Post No. 161 American Legions, and Choate Post No. 3276, Veterans of Foreign Wars, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $400 to defray expenses of the Memorial Day exercises. Observance exercises are to be under the auspices of the Bagley-Fay Post No. 161 American Legions, and Choate Post No. 3276, Veterans of Foreign Wars.

MOTION VOTED UNANIMOUSLY.

ARTICLE 11: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $507,531 for the fiscal year beginning July 1, 2003 and ending June 30, 2004 to pay a portion of the expense of the Worcester Regional Retirement System, of which the Town is a member, and as required by the Worcester Regional Retirement Board, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $507,531 for the fiscal year beginning July 1, 2003 and ending June 30, 2004 to pay a portion of the expense of the Worcester Regional Retirement System, of which the Town is a member, and as required by the Worcester Regional Commissioners.

MOTION VOTED UNANIMOUSLY.

ARTICLE 12: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate a sum of money for the purpose of paying to retirees the amount due for accrued vacation and sick time, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINITELY **VOTED UNANIMOUSLY.**

ARTICLE 13: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $12,000 to fund ongoing maintenance of the Town House, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $12,000 to fund ongoing maintenance of the Town House.

MOTION VOTED UNANIMOUSLY.

ARTICLE 14: To see if the Town will vote to transfer the remaining balance of $14,232.31 from the Fayville Village Hall Maintenance Fund and vote to raise and appropriate from any available funds $16,00 for a total of $30,232.31 to fund either rental space for Town departments, or the funds to do minimal renovations to Fayville Hall, or do or act anything in relation thereto. (Proposed by the Selectmen)

MOTION MADE: That the Town transfer the remaining balance of $14,232.31 from Fayville Village Hall Maintenance Fund and raise and appropriate the sum of $16,000 to do minimal renovations to Fayville Village Hall.

MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 15: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $50,000 to be used to conduct a municipal facilities plan, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINITELY **VOTED UNANIMOUSLY.**

ARTICLE 16: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, a sum of money for hiring special legal counsel, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $65,000 for hiring a special legal counsel.

MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 17: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate a sum of money to purchase a financial software package for the financial officers of the Town, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $53,454 to purchase a financial software package for the financial officer of the town.

MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 18: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $5,000 for the purpose of funding the Marlborough Addictions Referral Center, Inc., a nonprofit drop-in center, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $3,000 for the purpose of funding Marlborough Addictions Referral Center, Inc., a nonprofit drop-in center.

MOTION VOTED UNANIMOUSLY.

ARTICLE 19: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of continuing implementation of the Town's Geographic Information System, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate $54,010 for the purpose of continuing implementation of the Town Geographic Information System, contingent on passage by a majority vote at the annual town election excluding this capital exemption from Proposition 2 ½.

MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 20: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $250,000 for the maintenance of Town roads, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $250,000 for the maintenance of Town roads.

MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 21: To see if the Town will vote to transfer from available funds and appropriate, $377,099.80 in anticipation of reimbursement from the Commonwealth for Chapter 90 highway improvements, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town transfer from available funds and appropriate the sum of $377,099.80 in anticipation of reimbursement from the Commonwealth for Chapter 90 highway improvements.

MOTION VOTED UNANIMOUSLY.

ARTICLE 22: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, $170,000 for the purpose of purchasing Public Works Equipment, or do or act anything in relation thereto. (Proposed by the Department of PublicWorks)

MOTION MADE: That the Town raise and appropriate the sum of $135,000 for the purpose of purchasing Public Works Equipment, and transfer from Water Surplus the amount of $35,000 for Water Division equipment for a total of $170,000.

MOTION VOTED UNANIMOUSLY.

ARTICLE 23: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate a sum of money for the purpose of road and sidewalk improvements along and near Deerfoot Road, in the vicinity of Neary and Trottier Schools as the final phas of the School Safety Zone implementation, or do or act anything in relation thereto. (Proposed by the Board of Selectmen, Department of PublicWorks and Southborough K-8 School Committee)

MOTION MADE: TO POSTPONE INDEFINITELY **VOTED UNANIMOUSLY.**

ARTICLE 24: To see if the Town will vote to transfer from Water Reserve and appropriate a sum of money for the purpose of making improvements to the Town's Water Distribution System or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town transfer from Water Surplus and appropriate the sum of $300,000 to make improvements to the Town's Water Distribution System.

MOTION VOTED UNANIMOUSLY.

ARTICLE 25: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $52,000 to acquire two new four-door full-size sedan police cruisers and authorize the Board of Selectmen to sell, turn in or otherwise dispose of two police cruisers, or do or act anything in relation thereto. (Proposed by the Police Chief)

MOTION MADE: That the Town raise and appropriate the sum of $52,000 to acquire two new four-door full-size sedan police cruisers and authorize the Board of Selectmen to sell, turn in or otherwise dispose of two police cruisers.

MOTION VOTED UNANIMOUSLY.

ARTICLE 26: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $11,000 to acquire a new boiler system in the Police Station as replacement for the existing unit and authorize the Board of Selectmen to sell, turn in or otherwise dispose of the old boiler system, or do or act anything in relation thereto. (Proposed by the Police Chief)

MOTION MADE: TO POSTPONE INDEFINITELY **VOTED UNANIMOUSLY.**

ARTICLE 27: To see if the Town will vote to transfer from the ambulance revolving fund the sum of $140,000 for the purpose of purchasing a new ambulance, and authorize the Board of Selectmen to sell, turn in, or otherwise dispose of a 1993 Ford/Road Rescue ambulance, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: TO POSTPONE INDEFINITELY **VOTED UNANIMOUSLY.**

ARTICLE 28: To see if the Town will vote to transfer from the Ambulance Revolving Account a sum of money for the purchase of supplies and maintenance and operation of the Fire Department Ambulance, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town transfer from the Ambulance Revolving Account the sum of $66,000 for the purchase of supplies and maintenance and operation of the Fire Department Ambulance.

MOTION VOTED UNANIMOUSLY.

ARTICLE 29: To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of $60,000 to be used in anticipation of 50% grand funds issued through the Federal Emergency Management Agency (FEMA) for the purpose of upgrading Southborough's primary Emergency Operations Center (EOC), or do or act anything in relation thereto. (Proposed by the Emergency Management Director)

MOTION MADE: TO POSTPONE INDEFINITELY **VOTED UNANIMOUSLY.**

ARTICLE 30: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate a sum of money for the purpose of installing a vehicle exhaust ventilation system at Fire Headquarters, 21 Main Street, and Station 2 at 2 Harrington Court, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: TO POSTPONE INDEFINITELY **VOTED UNANIMOUSLY.**

At **11:00PM** it was **VOTED UNANIMOUSLY** to adjourn the Annual Town Meeting to Tuesday, April 15, 2003 at 7:30PM.

A true copy:
Attest: ______________________
Paul J. Berry, Town Clerk

ADJOURNED SESSION ANNUAL TOWN MEETING TUESDAY, APRIL 15, 2003

At the Annual Town Meeting Adjourned Session duly called and held at the P.Brent Trottier Middle School on Tuesday, April 15, 2003 the following articles were acted upon in a legal manner. There was a quorum present (150 Voters – quorum); 188 voters were present. The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Checkers: Lois Denman — Josephine D. Laptewicz
Alice Gaffney — Janet ME Mattioli
Linda Hubley — Lidia Kiley

The following were appointed by Moderator Wilson and sworn-in by Town Clerk, Paul J. Berry:
Tellers: Deborah Kutch — James B. Denman
Paul M. Cimino — Joe MacLeod
Stanley Adamczyk — Renzo Bardetti

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting:
Brian Ballantine, Treasurer/Collector
Brian Boyd, Freelance Journalist, Globe West
Philip M. Cole, Boy Scout
Basilio Diaz, Facilities Manager
David J. Dockstader, Emergency Management Committee
James Farquhar, Boy Scouts
Peter Johnson, Building Inspector
Vera L. Kolias, Town Planner
Pam LeFrancois, Senior Center Director
John D. Mauro, Jr., Fire Chief
Robert E. Melican, Superintendent of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Michelle Mullenberg, Metro West Daily News
Marshall Wolff, Metro West Daily News

The Town Moderator, John H. Wilson, called the meeting to order at 7:59pm.

ARTICLE 31: To see if the Town will vote to accept grant funds distributed through the Massachusetts Emergency Management Agency (MEMA) to establish a Citizens Corps Council to operate as a sub-committee of the Southborough Local Emergency Planning Committee (LEPC), or do or act anything in relation thereto. (Proposed by the Emergency Management Director)

MOTION MADE: That the Town accept grant funds distributed through the Massachusetts Emergency Management Agency (MEMA) to establish a Citizens Corps Council to operate as a sub-committee of the Southborough Local Emergency Planning Committee (LEPC).
MOTION VOTED UNANIMOUSLY.

ARTICLE 32: To see if the Town will vote to accept grant funds distributed through the Massachusetts Emergency Management Agency (MEMA) to establish, train, and operate a Southborough Citizens Emergency Response Team (CERT) program to be administered by the Southborough Local Emergency Planning Committee (LEPC), or do or act anything in relation thereto. (Proposed by the Emergency Management Director)

MOTION MADE: That the Town accept grant funds distributed through the Massachusetts Emergency Management Agency (MEMA) to establish, train, and operate a Southborough Citizens Emergency Response Team (CERT) program to be administered by the Southborough Local Emergency Planning Committee (LEPC).
MOTION VOTED UNANIMOUSLY.

ADJOURNED SESSION
ANNUAL TOWN MEETING
TUESDAY, APRIL 15, 2003

ARTICLE 33: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of hiring consulting engineers by various Town departments, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINTELY **VOTED UNANIMOUSLY.**

ARTICLE 34: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $19,500 to be used for expenses incurred from a private audit of the Town's financial officers to be carried out by a private firm which meets the standards of the Commonwealth of Massachusetts, Bureau of Accounts, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $19,500 to be used for expenses incurred from a private audit of the Town's financial officers to be carried out by a private firm which meets the standards of the Commonwealth of Massachusetts, Bureau of Accounts.

MOTION VOTED UNANIMOUSLY.

ARTICLE 35: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $3,470 for the purpose of aiding in the funding of the MetroWest Growth Management Committee, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $3,470 for the purpose of aiding in the funding of the MetroWest Growth Management Committee.

MOTION VOTED UNANIMOUSLY.

ARTICLE 36: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, $5,000 to be expended under the direction of the Heritage Day Committee for the purpose of paying the necessary costs associated with the Heritage Day celebration and the Heritage Day parade, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINITELY **VOTED UNANIMOUSLY.**

ARTICLE 37: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of maintenance of equipment, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINTELY **VOTED UNANIMOUSLY.**

ARTICLE 38: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINTELY **VOTED UNANIMOUSLY.**

ARTICLE 39: To see if the Town will vote to establish and authorize the use of a revolving fund account pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½ for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund, or do or act anything in relation thereto. (Proposed by the Board of Selectmen.

MOTION MADE: That the Town renew a revolving fund established under Chapter 44, Section 53 E ½, "An Act Authorizing Cities and Towns to Establish Certain Revolving Funds," a revolving fund for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund.

MOTION VOTED UNANIMOUSLY.

ARTICLE 40: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $10,000 for the purpose of conducting a Household Hazardous Waste Day, or do or act anything in relation thereto. (Proposed by the Board of Health)

MOTION MADE: TO POSTPONE INDEFINTELY.

AMENDMENT TO MOTION: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $10,000 for the purpose of conducting a Household Hazardous Waste Day, or do or act anything in relation thereto.

SECOND AMENDMENT: To divide the question, whether the Town will conduct a Hazardous Waste Day and then how to fund it.
SECOND AMENDMENT CARRIES BY MAJORITY VOTE.

THIRD AMENDMENT: To delete $10,000 from the motion.
THIRD AMENDMENT CARRIES BY MAJORITY VOTE.

FOURTH AMENDMENT: To support Hazardous Waste Day.
FOURTH AMENDMENT CARRIES BY MAJORITY VOTE.

FIFTH AMENDMENT: To appropriate $10,000 from the Stabilization Fund.
REQUIRES 2/3 VOTE

AMENDMENT DEFEATED: **Yes 90**
No 54

MOTION: TO POSTPONE INFINITELY **PASSED BY MAJORITY VOTE.**

ARTICLE 41: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $18,750 for the purpose of compensating qualified senior citizens for services rendered to the Town through the Senior Tax Work-off Program, or do or act anything in relation thereto. (Proposed by the Council on Aging)

MOTION MADE: TO POSTPONE INDEFINITELY **VOTED UNANIMOUSLY.**

ADJOURNED SESSION
ANNUAL TOWN MEETING
TUESDAY, APRIL 15, 2003

ARTICLE 42: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, a sum of money to fund rental space for the Council on Aging and Youth and Family Services, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $63,000 to fund rental space for the Council on Aging and Veterans' Agent.

MOTION VOTED UNANIMOUSLY.

ARTICLE 43: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $99,344 for the FY 2004 installment of the multiyear technology update in all Southborough Public Schools, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)

MOTION MADE: That the Town raise and appropriate the sum of $99,344 for the FY 2004 installment of the multiyear technology update in all Southborough Public Schools.

MOTION CARRIES BY MAJORITY VOTE.

MOTION MADE: TO RECONSIDER ARTICLE 40.
REQUIRES 2/3 VOTE
MOTION TO RECONSIDER ARTICLE 40 PASSED as follows:

Yes	**148**
No	**3**

MOTION MADE: I move that Article 40 as printed in the Warrant with funding subject to a 2 ½ override.
MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 44: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money for constructing, originally equipping and furnishing an addition or additions to the P. Brent Trottier Middle School, including the payment of all costs incidental and related thereto, for remodeling, reconstructing or making extraordinary repairs to the present P. Brent Trottier Middle School, including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Albert S. Woodward School, including the payment of all costs incidental and related thereto for remodeling, reconstructing or making extraordinary repairs to the present Albert S. Woodward School, including costs incidental and related thereto, or do or act anything in relation thereto. (Proposed by the Southborough School Building Committee)

MOTION MADE: That the Town Borrow and appropriate the sum of $229,164 to complete the construction, originally equipping and furnishing of an addition or additions to the P.Brent Trottier Middle School, and to complete the remodeling, reconstruction or repairs to the present P. Brent Trottier Middle School, and to complete the construction, originally equipping and furnishing of the Albert S. Woodward School, contingent on a favorable Proposition 2 ½ debt exclusion vote at the annual town election.
REQUIRES 2/3 VOTE

MOTION CARRIES as follows:

Yes	**40**
No	**4**

ADJOURNED SESSION
ANNUAL TOWN MEETING
TUESDAY, APRIL 15, 2003

ARTICLE 45: To see if the Town will vote to authorize the Board of Selectmen to negotiate the terms and conditions, for certain utility easements and to authorize the Board of Selectmen to grant, convey and transfer such utility easements, upon land of the Town of Southborough to NSTAR Gas Company, Inc. and Massachusetts Electric Inc., a National Grid Company, their successors and assigns and to any other utility company, for the purpose of servicing the new Woodward School being constructed off of Cordaville Road. Said easement area being over that portion of land which is contiguous to Main Street. All as is more particularly shown on a plan entitled: "Easement Plan of Land in Southborough Mass. (Worcester County) Engineers and Surveyors: MWE Metrowest Engineering Inc., 75 Franklin Street, Framingham, MA 01702, Date January 17, 2003. Said easement area containing 11,302 square feet or 0.26 acres according to said plan which is on file with the Town Clerk, or do or act anything in relation thereto. (Proposed by the School Building Committee)

MOTION MADE: That the Town authorize the Board of Selectmen to negotiate the terms and conditions, for certain utility easements and to authorize the Board of Selectmen to grant, convey and transfer such utility easements, upon land of the Town of Southborough to NSTAR Gas Company, Inc. and Massachusetts Electric Inc., a National Grid Company, their successors and assigns and to any other utility company, for the purpose of servicing the new Woodward School being constructed off of Cordaville Road. Said easement area being over that portion of land which is continguous to Main Street. All as is more particularly shown on a plan entitled: "Easement Plan of Land in Southborough Mass. (Worcester County) Engineers and Surveyors: MWE Metrowest Engineering Inc., 75 Franklin Street, Framingham, MA 01702, Date January 17, 2003. Said easement area containing 11,302 square feet or 0.26 acres according to said plan which is on file with the Town Clerk.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 46: To see if the Town will vote to raise and appropriate or borrow and appropriate, or transfer from available funds and appropriate, the sum of $52,555.32 to be used to construct Phase I of the MBTA Triangle landscape design. (Proposed by Board of Selectmen and MBTS Triangle Advisory Committee)
MOTION MADE: TO POSTPONE INDEFINITELY **CARRIES BY MAJORITY.**

ARTICLE 47: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, $27,295 for the purchase of a tractor and rack that accompanies it for grounds maintenance, or do or act anything in relation thereto. (Proposed by the Facilities Manager)
MOTION MADE: TO POSTPONE INDEFINITELY **CARRIES UNANIMOUSLY.**

ARTICLE 48: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, $8,000 for purchase of a used utility panel truck for use by the Building Maintenance employees, or do or act anything in relation thereto. (Proposed by the Facilities Manager)
MOTION MADE: TO POSTPONE INDEFINITELY **CARRIES UNANIMOUSLY.**

ARTICLE 49: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, $4,158 to purchase and install a fire alarm detection system for the Historical Commission office (Flagg School) or do or act anything in relation thereto. (Proposed by the Facilities Manager)

MOTION MADE: That the Town raise and appropriate the sum of $2,158 to purchase and install a fire alarm detection system for the Historical Commission office (Flagg School).
MOTION CARRIES UNANIMOUSLY.

ADJOURNED SESSION
ANNUAL TOWN MEETING
TUESDAY, APRIL 15, 2003

ARTICLE 50: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money to fund unemployment compensation, or do or act anything in relation thereto. (Proposed by the Treasurer/Collector)

MOTION MADE: TO POSTPONE INDEFINITELY **CARRIES UNANIMOUSLY.**

ARTICLE 51: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, $2,500 for the purpose of contributing to the operating budget of the SuAsCo Watershed Community Council, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $2,500 for the purpose of contributing to the operating budget of the SuAsCo Watershed Community Council.

MOTION CARRIES UNANIMOUSLY.

ARTICLE 52: To see if the Town will vote to accept as a public way Angelica Lane described on a plan entitled "Roadway Acceptance Plan of Angelica Lane in Southborough, MA." Prepared by Connorstone Consulting Engineers, dated September 13, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: TO POSTPONE INDEFINITELY **CARRIES UNANIMOUSLY.**

ARTICLE 53: To see if the Town will vote to accept as a public way Joslin Lane described on a plan entitled "Roadway Acceptance Plan of Joslin Lane and Witherbee Lane in Southborough, MA." Prepared by Connorstone Consulting Engineers, dated September 13, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: TO POSTPONE INDEFINITELY **CARRIES UNANIMOUSLY.**

ARTICLE 54: To see if the Town will vote to accept as a public way Witherbee Lane described on the plans entitled "Roadway Acceptance Plan of Joslin Lane and Witherbee Lane in Southborough, MA." Prepared by Connorstone Consulting Engineers, dated September 13, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: TO POSTPONE INDEFINITELY **CARRIES UNANIMOUSLY.**

ARTICLE 55: To see if the Town will vote to accept as a public way Kidder Lane described on a plan entitled "Road Acceptance Plan of Land, Kidder Lane, Southborough, MA." Prepared by Bruce Saluk & Associates, Inc., dated February 6, 2003, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Kidder Lane, together with easements, described on a plan entitled "Road Acceptance Plan of Land, Kidder Lane, Southborough, MA" Prepared by Bruce Saluk & Associates, Inc., dated February 6, 2003.

MOTION CARRIES UNANIMOUSLY.

ADJOURNED SESSION
ANNUAL TOWN MEETING
TUESDAY, APRIL 15, 2003

ARTICLE 56: To see if the Town will vote to accept as a public way Hillside Avenue Extension described on a plan entitled "Roadway Acceptance Plan of Hillside Avenue Extension in Southborough, MA" Prepared by Connorstone Consulting Engineers, dated September 13, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Hillside Avenue Extension described, together with easements, as are shown on said plan entitled "Roadway Acceptance Plan of Hillside Avenue Extension in Southborough, MA" prepared by Connorstone Consulting Engineers, dated September 13, 2002.

MOTION CARRIES UNANIMOUSLY.

ARTICLE 57: To see if the Town will vote to accept a gift of land described as Open Space on the subdivision plans entitled "Hillside Estates" prepared by Connorstone Consulting Engineers dated August 14, 2998 and revised through November 26, 1998, and further described in the Southborough Assessors records as Map 66, Lot 67. The land, currently owned by Lili Latuour Realty Trust, totaling approximately 11.46 acres, shall be placed under the jurisdiction of the Southborough Open Land Foundation, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: TO POSTPONE INDEFINITELY **CARRIES UNANIMOUSLY.**

ARTICLE 58: To see if the Town will vote to see if the Town will vote to accept as a public way a portion of Banfill Lane described on a plan entitled "Roadway Acceptance Plan of a Portion of Banfill Lane in Southborough, MA." Prepared by Highland Land Surveyors, Inc. of Hudson, Massachusetts dated April 26, 2002, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: TO POSTPONE INDEFINITELY **CARRIES UNANIMOUSLY.**

ARTICLE 59: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Article VI, Administration, Section 174-25, Board of Appeals, Paragraph A.(3) by striking therefrom the words "including use variance" so that said section will read: "The Board of Appeals shall have the power to grant, upon appeal of upon petition, variances from the terms of the chapter where the Board finds that, due to circumstances relating to soil conditions, topography of shape of land or structures and especially affecting such land or structures but not affecting generally the zoning district in which they are located, literal enforcement of this chapter would involve substantial hardship to the appellant or petitioner and that the desired relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this chapter. The Board of Appeals may impose conditions, limitations and safeguards not based on the continued ownership by the applicant, petitioner or any owner. If the rights authorized by a variance are not excerised within on (1) year from the date of grant thereof, they shall lapse, and new petition, notice and hearing will be required for their reestablishment." And further, by inserting at the end of subsection 3 the following: **"No variance may authorize a use, with the exception of septic systems, or activity not otherwise permitted in the district in which the land or structure is located.", or do or act anything in relation thereto.** (Proposed by Planning Board)

MOTION MADE: TO POSTPONE INDEFINITELY **PASSED UNANIMOUSLY.**

ADJOURNED SESSION
ANNUAL TOWN MEETING
TUESDAY, APRIL 15, 2003

ARTICLE 60: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Article I, Miscellaneous Provisions, Section 174 -2, Definitions, Paragraph B. entitled "Accessory Building or Use" by striking said definition in its entirety and inserting in place thereof the following: "ACCESSORY BUILDING OR USE – A building, structure, or use customarily incidental and subordinate to the principal permitted use of the building or land, located on the same lot as the principal permitted building, structure or use, and not prohibited by this chapter. **No accessory structure shall be closer than six (6) feet to a primary structure.**

For the purpose of this chapter, any area on a lot use for the landing and take-off of aircraft as defined by M.G.L. Chapter 90, Section 35, or helicopters (except as allowed in the Industrial Park District by Special Permit re 174-8.6 C) on a regular or intermittent basis shall NOT be considered an accessory to use and therefore not allowed as an accessory or principal use in any zoning district."
, or do or act anything in relation thereto. (Proposed by Planning Board)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Article 1, Miscellaneous Provisions, Section 174-2, Definitions, Paragraph B. to read as printed in the Warrant.

AMENDMENT TO THE MOTION: To insert the word *detached* in the last sentence of the first paragraph, to read: **No *detached* accessory structure shall be closer than six (6) feet to a primary structure.**
AMENDMENT TO MOTION PASSED BY MAJORITY VOTE.

ORIGINAL MOTION WITH AMENDMENT: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Article I, Miscellaneous Provisions, Section 174-2, Definitions, Paragraph B. entitled "Accessory Building or Use" by striking said definition in its entirety and inserting in place thereof the following:
"ACCESSORY BUILDING OR USE – A building, structure, or use customarily incidental and subordinate to the principal permitted use of the building or land, located on the same lot as the principal permitted building, structure, or use, and not prohibited by this chapter. **No *detached* accessory structure shall be closer than six (6) feet to a primary structure.**

For the purposes of this chapter, any area on a lot use [sic] for the landing and take-off of aircraft as defined by M.G.L. Chapter 90, Section 35, or helicopters (except as allowed in the Industrial Park District by Special Permit re 174-8.6 C) on a regular or intermittent basis shall NOT be considered an accessory to use and therefore not allowed as an accessory or principal use in any zoning district."
REQUIRES 2/3 VOTE.

ORIGINAL MOTION (with Amendment) **CARRIES as follows.**	**Yes**	**95**
	No	**36**

Approved by the Attorney General on August 1, 2003.

ARTICLE 61: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Article III, Use Regulations, Section 174-8.2, - Residence A District, Paragraph A.(8) to read "Construction of private garage or private parking for not more than three (3) vehicles, **that is accessory to a permitted principal use and on the same lot as such use.** One vehicle may be a truck or other commercial vehicle." And to further amend section 174-8.2, Paragraph B. (12) to read "Private garage or private parking for not more than three (3) vehicles, **that is accessory to a permitted principal use and on the same lot as such use.**

, or do or act anything in relation thereto. (Proposed by Planning Board)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Article III, Use Regulations, Section 174-8.2, - Residence A District, Paragraph A.(8) to read "Construction of private garage or private parking for *not more than three (3) vehicles*, **that is accessory to a permitted principal use and on the same lot as such use.** One vehicle may be a truck or other commercial vehicle." And to further amend Section 174-8.2, Paragraph B. (12) to read "Private garage or private parking for *more than three (3) vehicles*, **that is accessory to a permitted principal use and on the same lot as such use.**"

AMENDMENT TO MOTION: To strike "permitted principal use" and insert "one-family house" in both places.

AMENDMENT TO MOTION: DEFEATED BY MAJORITY VOTE.

MOTION: TO MOVE THE QUESTION.
REQUIRES 2/3 VOTE
MOTION: TO MOVE THE QUESTION VOTED UNANIMOUSLY.

REQUIRES 2/3 VOTE
ORIGINAL MOTION CARRIES:

YES 21
NO 7

Approved by the Attorney General on August 1, 2003.

ARTICLE 62: To see if the Town of Southborough will vote to amend the Zoning Code of the Town of Southborough Article 1, Miscellaneous Provisions, Section 174-2, Definitions: Garage – A garage in the Residence A & Residence B Districts shall be considered an accessory use to a home or building, or do or act anything in relation thereto. (Proposed by Joseph E. Green and sixteen others)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Article 1, Miscellaneous Provisions, Section 174-2, Definitions: Garage – A garage in the Residence A & Residence B Districts shall be considered an accessory use to a home or building.
REQUIRES 2/3 VOTE.
MOTION (as stated above) CARRIES as follows:

Yes 22
No 3

Approved by the Attorney General on September 12, 2003.

ARTICLE 63: To see if the Town will vote to authorize the Board of Selectmen to appoint a Town Counsel Advisory Committee to review the legal advice and opinions of Town Counsel and to advise the Board of Selectmen regarding the same, and to perform all acts necessary to carry out the purpose of this vote. The Town Counsel Advisory Committee shall consist of three members. Each member shall serve for a term of three years, except that upon initial establishment of said Committee, one member shall serve for one year, one member shall serve for two years and one member shall serve for three years, as appointed by the Board of Selectmen. The chairperson of the Town Counsel Advisory Committee shall be selected by the Board of Selectmen. Each member shall reside in the Town of Southborough and must be one of the following occupations: law professor, retired judge or practicing attorney. The Town Counsel Advisory Committee shall be deemed to be a public body for the purposes of the Open Meeting Law and shall meet on an as-needed basis and shall report to the Board of Selectmen upon request of the Board of Selectmen, and at the Annual Town Meeting or Special Town Meeting, or do or act anything in relation thereto. (Proposed by Jack and Louise Barron and eight others)

MOTION MADE: That the Town authorize the Board of Selectmen to appoint a Town Counsel Advisory Committee to review the legal advice and opinions of Town Counsel and to advise the Board of Selectmen regarding the same, and to perform all acts necessary to carry out the purpose of this vote. The Town Counsel Advisory Committee shall consist of three members. Each member shall serve for a term of three years, except that upon initial establishment of said Committee, one member shall serve for one year, one member shall serve for two years and one member shall serve for three years, as appointed by the Board of Selectmen. The chairperson of the Town Counsel Advisory Committee shall be selected by the Board of Selectmen. Each member shall reside in the Town of Southborough and must be one of the following occupations: law professor, retired judge or practicing attorney. The Town Counsel Advisory Committee shall be deemed to be a public body for the purposes of the Open Meeting Law and shall meet on an as-needed basis and shall report to the Board of Selectmen upon request of the Board of Selectmen, and at the Annual Town Meeting or Special Town Meeting.

MOTION FAILS BY MAJORITY VOTE.

ARTICLE 64: To see if the Town will vote to amend the Code of the Town of Southborough, by inserting a new section in Chapter 9, Article IV, Permanent Municipal Building Committee to the Code of the Town of Southborough. Article IV shall read as follows:

PERMANENT MUNICIPAL BUILDING COMMITTEE
There shall be a Permanent Municipal Building Committee (hereinafter the Committee), consisting of five (5) residents of the Town of Southborough, responsible for the design, construction, reconstruction, renovation, alteration or enlargement of all buildings and/or facilities, owned by the town or constructed on land owned, leased or operated by the town. (Public construction projects and building committees established prior to October 2002, shall not be subject to the requirements of this bylaw.)

1. DEFINITIONS
For the purpose of this bylaw, the following words shall have the specified meanings.

A. As built – drawings and specifications of the actual final completed construction, renovation or modifications to a project. These items will depict the true finished structure, with accurate utilities locations.

B. Architect – a person with educational training and experience in the field of architecture, and/or a professional registration.

C. Building – a structure in a portable or fixed location, with an area of at least one hundred square feet, having a roof or providing shelter, including swimming pools.

D. Clerk of the Works – an individual responsible for day-to-day inspection of a project. He or she shall prepare and maintain detailed daily records of a project's progress and shall report to the project manager.

E. Construction business – a person with the educational training and/or experience in general, commercial, residential, construction of a business as a manager, owner, or estimator, with at least 5 years of experience.

F. Designer – an individual, corporation, partnership, sole proprietorship, Joint Stock Company, limited liability partnership or other entity engaged in the practice of architecture, landscape architecture, or engineering. If the designer is an individual, he or she shall be registered as an architect; landscape architect or engineer in the Commonwealth of Massachusetts, and if the designer is one of the other categories listed above the majority of the partners or owners shall be registered as an architect, landscape architect or engineer in the Commonwealth of Massachusetts. Draftsmen that have worked under the control of a designer for at least 5 years may be appointed to the Municipal Building Committee.

G. Direct Construction cost – the direct cost for material, labor, administration and equipment to construct, reconstruct, enlarge or alter a building or facility.

H. Engineer – a person with educational training and experience in his or her engineering discipline, and a professional registration.

I. Feasibility study – a report prepared by a designer, or other qualified professional and identifying the needs of a building user as well as alternatives for meeting the user's functional requirements. It includes surveys, testing, and environmental impacts, access for the disabled, complying with Title V and contains time tables and cost estimates.

J. Final design – prepared by a designer, the final design shall include a schematic design, design development, final drawings and specifications, bidding documents and contract documents.

K. Indirect construction cost – architectural, engineering, legal and administrative fees, furnishings and equipment, permit and license fees, project management costs, salaries for the project manager and clerk-of-the-works, financing costs, and project contingencies.

L. Project – a project is a proposed construction, renovation, reconstruction, alteration or enlargement of any building owned by the town or constructed on land, leased or operated by the town.

M. Project committee – a committee consisting of the Permanent Municipal Building Committee members and the representatives of a designated user agency for a specific building project. A member of the Municipal Building Committee shall serve as chairperson for all projects committee activities.

N. Project manager – an individual who is licensed and/or registered as an engineer, architect or project manager and acts on behalf of the Municipal Building Committee, and who is responsible for the day-to-day supervision of a project. He or she shall maintain project records, issue emergency directives, and oversee the clerk-of-the-works and other project participants. The project manager shall report to the MBC.

O. Total project cost – the combination of the direct and indirect construction costs.

P. Town agency – an elected or appointed board, committee or commission, including the Board of Selectmen, School committee, Library Trustees, Recreation Commission, Recreation Facilities Committee, Conservation Commission, Arts Committee or other board, committee, commission or Town department having responsibility for a structure, building or facility.

If any portion of this bylaw is determined by a court of competent jurisdiction to be otherwise unenforceable then the remaining provisions of this bylaw shall continue in full force and effect.

2. APPOINTMENTS AND MEMBERSHIP

A. The Committee shall be appointed by the Town Moderator. Terms shall be for three years each, and shall be staggered, one term expiring on June 30th of each year. Initial appointments shall be (1) member for one year, two (2) members for two (2) years and two (2) members for three years.

B. Each member appointed to the Committee shall be a registered voter of the Town of Southborough. Individuals who are appointed to the Committee shall to the greatest extent reasonably possible, be chosen from the following professions: (attorney, architect, accountant, engineer, contractor or an individual who is engaged in or involved with the construction business.) In the event that such individuals cannot be appointed, individuals may be selected

who do not have such experience and/or expertise but are able and willing to manage the requirements of the position.

C. No member shall be a paid employee of the town, other than a temporary member(s) of the committee. Members shall be independent of any other elected or appointed standing Town Board, Committee or Commission to the extent permissible by applicable law.

D. Temporary membership: For each project, there shall be one additional temporary member representing the Town agency who shall have a vote. Temporary members shall attend meetings that relate to their particular project and may provide information with respect to their particular project. For this purpose, temporary members shall be allowed to be non-residents. Before the commencement of a feasibility study or construction, and before any hiring of personnel for a project, the relevant Town agency shall designate one representative (temporary member) to serve on the Committee.

E. Administrative Ex-Officio Member: The Town's Facilities Manager shall act as administrator for the Committee, and shall be responsible for the scheduling of committee meetings, record keeping and storage, setting agendas, and conducing day to day functions as the committee shall dictate. The Facilities Manager may interact with the Committee during committee meetings, but is not entitled to vote.

F. The Town Clerk shall maintain a register of Committee members and of architects, engineers, contractors, accountants, attorneys and other interested citizens that are willing to serve on the committee.

G. All meetings of the Committee shall be public and all rules and regulations established by the Town of Southborough for town boards and committees to conduct business and to function shall apply.

3. RESPONSIBILITIES

The Committee is responsible for the review of all projects having a total project cost (including feasibility studies and indirect costs) of $100,00 or more. Ordinary and usual repairs, and maintenance projects on existing facilities shall not be part of this committee's responsibilities. The Facilities Manager may elect to refer to the Committee projects of less than $100,000 if he deems it appropriate.

The Committee shall serve as the Awarding Authority for all projects under its jurisdiction to the extent permissible under state law. Any public works construction projects which fall under M.G.L. Chapter 30 shall be excluded from the jurisdiction of this Committee.

The Committee shall be responsible for:

A. Technical advice to Town agencies as to feasibility and planning of projects.

B. Participation in feasibility review and modification for projects that may be submitted for approval to Town Meeting or other sources.

C. Design supervision and construction of those projects for which funds and approval has been granted by Town Meeting.

D. Financial review of project costs, bids and budgets.

E. Hiring of architects, engineers, project managers, clerk of the works and other job related personnel.

F. Provide information as required to the Town Board of Selectmen, Advisory Committee, Capital Budget Committee, and the Board of Health, and any other board or committee as may be appropriate for a particular project.

G. Project completion: Upon the completion of a project, the Committee shall provide the Town agency and the Town's Facilities Manager with a complete and final set of drawings and specifications of the finish structure as-built and all other contract documents, and shall relinquish to the Town Facilities Manager all warranty documents as to the building or facilities or feature thereof materials used therein, or work done thereon. In addition, the Committee shall relinquish the remaining warranty documents as to the project committee to the Town's Facilities Manager for the purpose of maintaining detailed records, including any inventory indicating what warranty documents as to materials and records were deposited with the Town and State.

, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINITELY **CARRIES UNANIMOUSLY.**

ARTICLE 65: To see if the Town will vote to amend the Code of the Town of Southborough, by inserting a new Chapter 75, "Demolition Delay," to read as follows:

Chapter 75 DEMOLITION DELAY

Section 75-1. Intent and Purpose.
Section 75-2. Definitions.

Section 75-3. Procedure.
Section 75-4. Responsibility of Owners.
Section 75-5. Emergency Demolition.
Section 75-6. Enforcement and Remedies.
Section 75-7. Historic District Act.
Section 75-8. Severability.

Section 75-1. Intent and Purpose.
This bylaw is enacted for the purpose of protecting and preserving significant buildings within the Town of Southborough which constitute or reflect distinctive features of the architectural or historical resources of the Town, and to encourage owners of such buildings to seek out alternative options to preserve, rehabilitate or restore such buildings rather than to demolish them, thereby promoting the public welfare and preserving the cultural heritage of the Town.
To achieve these purposes the Southborough Historical Commission is authorized to advise the Building Inspector with respect to the issuance of permits for the demolition of significant buildings. The issuance of demolition permits for significant buildings is regulated as provided by this bylaw.

Section 75-2. Definitions.
BUILDING – Any combination of materials forming a shelter for persons, animals, or property.

DEMOLITION – Any act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial exterior destruction with the intent of completing the same.

BUILDING INSPECTOR – The person occupying the office of Building Inspector or otherwise authorized to issue demolition permits.

COMMISSION – The Southborough Historical Commission.

DEMOLITION PERMIT – The permit issued by the Building Inspector for a demolition, substantial demolition or removal of a building, excluding a demolition permit issued solely for the demolition of the interior of a building.

HISTORICALLY OR ARCHITECTURALLY SIGNIFICANT BUILDING – Any building, in whole or in part, which was constructed prior to 1925 and is included in the Historic Resources Survey prepared by the Commission.

PREFERENTIALLY PRESERVED – Any historically or architecturally significant building which the Commission determines is in the public interest to be preserved or rehabilitated rather than to be demolished.

Section 75-3. Procedure.

A. No permit for the demolition of a Historically or Architecturally Significant Building shall be issued other than in conformity with the provisions of this bylaw, as well as in conformity with the provisions of other laws and ordinances applicable to the demolition of buildings and the issuance of permits generally.

B. Application contents: Every application for a demolition permit for a Historically or Architecturally Significant Building shall be filed with the Building Inspector and shall contain the following information: (i) the address of the building to be demolished, (ii) the owner's name, address and telephone number, (iii) a brief description of the type of building and the condition requiring issuance of the permit; (iv) date of building as established by the Board of Assessors, deed or documentation verifying year of construction and (v) a brief description of the proposed reuse, reconstruction or replacement on the premises upon which the building is located.

C. Within seven (7) working days from receipt of an application for a demolition permit of a Historically or Architecturally Significant Building, the Building Inspector shall forward a copy to the Commission. No demolition permit shall be issued during this time.

D. Within ten (10) working days after receipt of the application for demolition permit by the Commission, the Commission shall make a Determination of Architectural and/or Historical Significance based upon the Secretary of the Interior's standards for historic buildings, in addition to project feasibility. Upon determination by the Commission that the building is not architecturally and/or historically significant, the Commission shall so notify the Building Inspector in writing. Upon receipt of such notification, or after the expiration of fifteen (15) working days from the date of submission to the Commission, if the Building Inspector has not received notification from the Commission, the Building inspector may issue the demolition permit.

E. Upon determination by the Commission that the building is historically and/or architecturally significant, the Building Inspector and applicant shall be so notified in writing, and a demolition permit shall not be issued. The Commission shall hold a public hearing within fifteen (15) working days of the Determination of Significance to determine whether the building should be preferentially preserved. Public notice of the time, place and purpose of the hearing shall be published by the Building Department at the expense of the applicant in a newspaper of general circulation in the Town not less than seven (7) days before the day of said hearing and shall be posted in a conspicuous place in the Town Hall for a period of not less than seven (7) days before the day of said hearing.

F. If after a public hearing the Commission determines that the significant building should not be preferentially preserved, the Commission shall notify the Building Inspector, in writing within five (5) working days of the hearing and the Building Inspector may issue a demolition permit upon receipt of the written decision.

G. If after a public hearing the Commission determines that the significant buildings should be preferentially preserved, the Commission shall so notify the Building Inspector in writing within five (5) working days of the hearing, and no demolition permit may be issued until six (6) months after the date of the determination by the Commission.

H. Not withstanding anything contained in paragraph G, the Building Inspector may issue a demolition permit for a preferably preserved building at any time after receipt of written advice from the Commission to the effect that either:

(i) The Commission is satisfied that there is no reasonable likelihood that either the owner or some other person or group is willing to purchase, preserve, rehabilitate or restore such building, or

(ii) The Commission is satisfied that for at least six (6) months the owner has made continuing, bonafide and reasonable efforts to locate a purchaser to preserve, rehabilitate or restore the subject building, and that such efforts have been unsuccessful.

I. A demolition permit issued to an owner of a building determined to be preferentially preserved will expire with the transfer of the property to a new owner.

Section 75-4. Responsibility of Owners.
It shall be the responsibility of the owner of record or his designee to assist in the facilitation of the above process by providing information, allowing access to the property and securing the premises; for participating in the investigation of preservation options and for actively cooperating in seeking alternatives with the Commission and any interested parties.

Section 75-5. Emergency Demolition
Nothing in this bylaw shall restrict the Building Inspector from immediately ordering the demolition of any building in the event of imminent danger to the safety of the public.

Section 76-6. Enforcement and Remedies.

The Commission and/or the Building Inspector are each specifically authorized to institute any and all actions and proceedings, in law or equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this bylaw or to prevent a threatened violation thereof. No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished in violation of this bylaw for a period of two (2) years after the date of the completion of such demolition. As used herein, "premises" refers to the parcel of land upon which the demolished significant building was located and all adjoining parcels of land under common ownership or control.

Section 75-7. Historic District Act.
Nothing in this bylaw shall be deemed to conflict with the provisions of the Historic District Act, Massachusetts General Laws Chapter 40C. If any of the provisions of this bylaw do so conflict, that act shall prevail.

Section 75-8. Severability.
In case any section, paragraph or part of this bylaw be for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

,or do or act in relation thereto. (Proposed by the Historical Commission)

MOTION MADE: That the Town amend the Code of the Town of Southborough by inserting a new Chapter 75, "Demolition Delay," to read as printed in the Warrant.

AMENDMENT TO MOTION: I move to amend Article 65 as written in the Warrant, by deleting Section H, subsection (ii).
AMENDMENT TO MOTION: CARRIES BY MAJORITY VOTE.

MOTION WITH AMENDMENT FAILS BY FOLLOWING VOTE:

Yes	**39**
No	**61**

ARTICLE 66: To see if the Town will authorize the Board of Assessors to use free cash in the Town treasury, and if so, what sum for the purpose of reducing the amount to be raised and appropriated and assessed as taxes in the fiscal year beginning July 1, 2003 and ending June 30, 2004, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINITELY **CARRIES UNANIMOUSLY.**

At 11:33PM on Tuesday April 15, 2003 a motion to dissolve the Annual Town Meeting of April 14, 2003 and the Adjourned Session of Tuesday April 15, 2003 was PASSED UNANIMOUSLY.

A true copy:
Attest: ______________________
Paul J. Berry, Town Clerk

Town of Southborough, ANNUAL TOWN MEETING
April 12, 2004

At the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 12, 2004 at 7:00PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 294 voters were present.

Checkers:

Janet Mattioli	**Lidia Kiley**
Gail Rowe	**Linda Hubley**
Lois Denman	**Alice Brenda Gaffney**
Delia Mulvaney	

The following were appointed by Moderator John Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:

Donald A. Neal	**Jeremiah D. McGillicuddy**
Donato A. Infante, Jr.	**Paul M. Cimino**
Charles P. Aspesi	**Dale E. Veeneman**

The Town Moderator, John H. Wilson, called the meeting to order at 7:35pm.

With a hearty round of applause, it was noted that John H. Wilson has been serving as Town Moderator for 20 years.

The Colors were presented by Junior Girl Scout Troop 2798.

A moment of silence was held in memory of those persons who have served the Town in the past:

Raymond Ripley Allen
Edgar A. Phaneuf, Jr.
Dorothy Anne Boland
Austin M. Maguire
Frank W. Cain, Jr.
Eva M. Ramelli
Mary E. White
Joseph M. McManus

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting. There being no objections from the floor, it was voted to allow the above non-voters to remain:

Brian Ballantine, Treasurer/Collector
Gene Carlo, Superintendent-Director Assabet School
Paul T. Cibelli, Principal Assessor
Clare Curran, Library Director
Caitlin Curran, daughter of Library Director
Basilio Diaz, Facilities Manager
Kathryn Garcia, Director of Recreation
Charles Gobron, Director of Curriculum/Instruction
Vanessa D. Hale, Assistant Town Administrator
Bradford Jackson, Assistant Superintendent of Schools
Peter Johnson, Building Inspector
Vera L. Kolias, Town Planner
John Kustigian, Business Manager Assabet School
Stephen LeDuc, State Representative
Pam LeFrancois, Senior Center Director
John D. Mauro, Jr., Fire Chief
Victoria Mauro, Fire Chief's Daughter
Ryan McNamara, Program Coordinator, Recreation
Robert E. Melican, Superintendent of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Michelle Muellenberg, MetroWest Daily News
Paul C. Pisinski, Public Health Director
Vic Robidoux, Fire Department
Laurie Sugarman-Whittier, Director of Youth and Family Services
William H. Webber, Police Chief
Marshall Wolff, MetroWest Daily News

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Annual Town Meeting by the Constable.

MOTION MADE: To waive the reading of the entire Warrant.
MOTION CARRIES UNANIMOUSLY.

At this time, a round of applause was given to David W. Parry for his years of service as Board of Selectmen to the Town.

ARTICLE 1: To hear reports of the various Town Officers and Committees and to take such action thereon as the Town may vote. (Proposed by the Board of Selectmen)
MOTION MADE: That the Town hear reports of the various Town Officers and Committees from:
Board of Selectmen
Advisory Committee
Southborough School Committee
Assabet Valley Scholarship Committee
School Building Committee
Recycling Committee
Municipal Facilities Committee
MOTION VOTED UNANIMOUSLY.

At 8:50pm it was voted unanimously to temporarily adjourn the Annual Town Meeting until the completion of Special Town Meeting.

True Copy
Attest:

Paul J. Berry, Town Clerk

TOWN OF SOUTHBOROUGH
SPECIAL TOWN MEETING April 12, 2004

At the Special Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 12, 2004 at 7:30PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 294 voters were present.

Checkers:

Janet Mattioli
Gail Rowe
Lois Denman
Delia Mulvaney
Lidia Kiley
Linda Hubley
Alice Brenda Gaffney

The following were appointed by Moderator John Wilson and sworn-in by Town Clerk, Paul J. Berry:
Tellers:

Donald A. Neal
Donato A. Infante, Jr.
Charles P. Aspesi
Jeremiah D. McGillicuddy
Paul M. Cimino
Dale E. Veeneman

The Town Moderator, John H. Wilson, called the meeting to order at 8:51 p.m.

Moderator Wilson had requests from the following non-voters to attend the Special Town Meeting. There being no objections from the floor, it was voted to allow the non-voters to remain.

Brian Ballantine, Treasurer/Collector
Gene Carlo, Superintendent-Director Assabet School
Paul T. Cibelli, Principal Assessor
Clare Curran, Library Director
Caitlin Curran, daughter of Library Director
Basilio Diaz, Facilities Manager
Kathryn Garcia, Director of Recreation
Charles Gobron, Director of Curriculum/Instruction
Vanessa D. Hale, Assistant Town Administrator

Bradford Jackson, Assistant Superintendent of Schools
Peter Johnson, Building Inspector
Vera L. Kolias, Town Planner
John Kustigian, Business Manager Assabet School
Stephen LeDuc, State Representative
Pam LeFrancois, Senior Center Director
John D. Mauro, Jr., Fire Chief
Victoria Mauro, Fire Chief's Daughter
Ryan McNamara, Program Coordinator, Recreation
Robert E. Melican, Superintendent of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Michelle Muellenberg, MetroWest Daily News
Paul C. Pisinski, Public Health Director
Vic Robidoux, Fire Department
Laurie Sugarman-Whittier, Director of Youth and Family Services
William H. Webber, Police Chief
Marshall Wolff, MetroWest Daily News

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

It was voted unanimously to waive the reading of the Special Town Meeting Warrant.

ARTICLE 1: To see if the Town will vote to transfer from available funds and appropriate the sum of $22,085.40 from Receipts Reserved for Appropriation Betterments (Fund 23) to the General Fund Debt Account, Fiscal Year 2004, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town vote to transfer the sum of $22,085.40 from Receipts Reserved for Appropriation Betterments (Fund 23) to the General Fund Debt Account, Fiscal Year 2004.
MOTION VOTED UNANIMOUSLY.

ARTICLE 2: To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds and appropriate the sum of $9,811 to add to the Fire Department budget for FY 05 for the purpose of funding the collective bargaining agreement between the Town and Local 3129 of the International Association of Firefighters, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: To see if the Town raise and appropriate the sum of $1.00 for the purpose of funding the collective bargaining agreement between the Town of Southborough and Local 3129 of the International Association of Firefighters FY05.
MOTION VOTED UNANIMOUSLY.

ARTICLE 3: To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds and appropriate a sum of money to add to the Department of Public Works budget for FY05 for the purpose of funding the collective bargaining agreement between the Town and the American Federation of State, County and Municipal Employees, Council 93, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: To Postpone Indefinitely.
MOTION VOTED UNANIMOUSLY.

MOTION MADE: To dissolve **SPECIAL TOWN MEETING.**
MOTION VOTED UNANIMOUSLY.

At 8:57pm the SPECIAL TOWN MEETING was dissolved.

MOTION MADE: Motion to resume **ANNUAL TOWN MEETING.**
MOTION VOTED UNANIMOUSLY.

At 8:58pm the Town Moderator resumed Annual Town Meeting.

True Copy
Attest:

Paul J. Berry, Town Clerk

ARTICLE 2: To see if the Town will vote to accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted.
MOTION VOTED UNANIMOUSLY.

ARTICLE 3: To see if the Town will vote to amend the Code of the Town of Southborough by amending Chapter 3 by inserting a new section, Section 3-9, Donations and Acquisitions

§ 3-9 Donations and Acquisitions

That all town departments, except those under the supervision of the various elected school committees, prior to the acquisition by grant, gift, lease or other means of capital equipment, real property or capital assets by any town department, employee, board or official except as specifically budgeted and approved by Town Meeting, the parties making such acquisition shall:

A. Provide the Board of Selectmen with a written description of the equipment, real property or capital asset to be acquired. The Board of Selectmen shall approve the acquisition by majority vote, and;
B. Also provide the Board of Selectmen with a written estimate of annual maintenance costs, annual operating costs, and a description and cost of ancillary support systems and equipment that are required for the effective utilization of the equipment, real property or asset. These estimates shall be for a period equal to the life of the equipment, real property or capital asset or 5 years, whichever is less. The Board of Selectmen shall approve these estimates by majority vote.
C. Shall the Board of Selectmen fail to approve either option as noted above, the equipment, capital asset or real property shall not be acquired.

, or do or act anything in relation thereto. (Proposed by the Capital Budget Committee)

MOTION MADE: That the Town amend the Code of the Town of Southborough by amending Chapter 3 by inserting a new section, Section 3-9, Donations and Acquisitions as printed in the Warrant.
MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 4: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2004 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17 as amended, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2004 in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 17, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.
MOTION VOTED UNANIMOUSLY.

ARTICLE 5: To hear the report of the Capital Budget Planning Committee, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town hear the report of the Capital Budget Planning Committee.
MOTION VOTED UNANIMOUSLY.

ARTICLE 6: To see if the Town will vote to amend the Code of the Town of Southborough, Chapter 3, by adding a new section, 3-10, Mileage Reimbursement:

§ 3-10 Mileage Reimbursement Rate
The rate for mileage reimbursement for all Town employees and officials, regardless of department or agency of the Town, shall be identical to the mileage rate adopted by the Internal Revenue

> Service (IRS) for business use. The Board of Selectmen may from time to time issue rules and regulations to carry out this section.

or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town amend the Code of the Town of Southborough, Chapter 3, by adding a new section, 3-10, Mileage Reimbursement as printed in the Warrant.

MOTION MADE: To Postpone Indefinitely
MOTION CARRIES BY MAJORITY VOTE.

***ARTICLE** 7*: To see if the Town will vote to delete the Personnel Salary Administration Plan, as specified in Chapter 31 of the Code of the Town of Southborough, entitled: PERSONNEL, and insert in its place the following:

SALARY ADMINISTRATION PLAN AND PERSONNEL BY-LAWS OF THE TOWN OF SOUTHBOROUGH

PREAMBLE

This by-law establishes a Salary Administration Plan for the Town of Southborough, which classifies the several position classifications in the Town services into groups, establishes salary schedules, establishes employee benefits and establishes a Personnel Board to administer the by-law and to represent the interest of both the taxpayers and the Town employees covered by the by-law.

The positions of all officers and employees in the service of the Town, whether full-time, part-time, temporary, seasonal, special, casual Civil Service or any other, other than those positions filled by popular election, those under the direction and control of the School Committee, and those encompassed in any officially recognized labor union and/or association, are hereby classified by titles in the groups listed in Schedule A, entitled "Classification Schedule," as set forth in Section 21 of the by-law.

The classification of positions which are subject to the Welfare Compensation Plan of the Commonwealth of Massachusetts and the scheduled rates therefore effective July 1, 1966 with subsequent amendments, if any, and the applicable provisions of the Massachusetts General Laws relating to the application of rates set forth in the aforementioned Welfare Compensation Plan are hereby incorporated by reference.

SECTION 1. DEFINITIONS AND TERMS

As used in this by-law, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context or by the laws of the Commonwealth:

"Administrative Authority," the elected or appointed official or board having jurisdiction over a function or activity.

"Anniversary Year," is that year commencing on the first day of employment and terminating 365 days thereafter.

"Base Pay," is the compensation paid for the purposes of determining retirement credits and contributions for Town employees by the Town of Southborough.

> The Town shall contribute funds as required for each eligible employee in accordance with the procedures and formula established by the Worcester Regional Retirement System and the by-laws of the Town of Southborough.
>
> Contributions shall be made by the Town for:
>
> 1. Wages earned during the first eight (8) hours worked in any one day. No contributions shall be made for hours worked in excess of 40 hours per week.
> 2. Any lump sum bonus that is guaranteed as outlined in the Salary Administration Plan and the Personnel By-Laws of the Town and any collective bargaining agreement in force. Examples of lump sum bonuses are longevity pay and educational bonuses.
> 3. Vacation pay except when paid in lieu of taking vacation.
> 4. Sick pay.
> 5. Holiday pay.

"Casual Position," a position calling for part-time employment, which service does not constitute continuous service; this service is rendered occasionally and without regularity according to the demand therefore.

"Civil Service Law," Chapter 31 of the General Laws of the Commonwealth as amended and all rules and regulations made thereunder; and any special law enacted by the General Court regulating the classification compensation and conditions of employment of officers and employees of the Town under Chapter 31.

"Class," a group of positions in the Town service sufficiently similar in respect to duties and responsibilities so that the same descriptive title may be used to designate each position allocated to the class, that the same qualifications shall be required of the incumbents, that the same tests of fitness may be used to choose qualified employees and that the same scale of compensation can be made to apply with equity.

"Classification Schedule," the titles in Schedule A, B, C, D, E and F of Section 21 of this by-law.

"Compensation Grade," a range of salary or wage rates appearing in Schedules A, B, C, D, E and F.

"Continuous Full-Time Service," employment requiring a predetermined minimum work period and uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Continuous Employment," full-time or part-time employment uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Department," a functional unit of Town government composed of one or more employees.

"Department Head," the person appointed to be responsible for carrying out the duties of a Department.

"Exempt Employee," Any employees who are paid a weekly salary.

"Employee," an employee retained in full-time employment.

"Full-Time Employment," employment for not less than 20 hours per week for fifty-two weeks per annum, minus legal holidays and authorized vacation leave, sick leave, bereavement leave, and other leaves of absence.

"Group," a group of classes appearing in Schedules A, B, C, D and E of Section 21.

"Increment," the dollar or percentage difference between step rates.

"Maximum Rate," the highest rate in a range which an Employee normally is entitled to attain.

"Minimum Rate," the rate in a range which is normally the hiring rate of a new employee.

"Non-exempt Employee," Any employees who are paid an hourly wage.

"Part-Time Employee," an employee working in part-time employment.

"Part-Time Employment," employment for less than Full-Time Employment, as defined above.

[Personal Rate deleted]

"Position," an office or post of employment in the Town service with duties and responsibilities calling for the Full-Time or Part-Time employment of one person in the performance and exercise thereof, or more than one person sharing the same position.

"Position Class," same as "Class," (a class may include only one position, in which event it is defined as a "single position class").

"Promotion," a change from a position of lower class and compensation grade to a position with greater responsibilities in a higher class and compensation grade.

"Range," the dollar difference between minimum and maximum rates of the assigned grade.

"Rate," a sum of money designated as compensation for personal services on an hourly, weekly, monthly, annual or other basis.

"Salary Schedule," Schedule B of Section 21.

"Single Rate," a rate for specific position class which is not in a designated range.

"Special Position," a position calling for Part-Time employment which, although constituting continuous employment, is not rendered during prescribed working hours, daily, weekly, or annually, but is rendered as required according to the demands for such service.

"Step Rate," rate in a range of compensation grade.

"Temporary Employee," (1) an employee retained in a temporary position as defined herein; (2) any employee holding a temporary appointment under Civil Service Law who does not also have permanent status thereunder.

"Temporary Position," or "Seasonal Position," any position in the Town service which requires or is likely to require the service of one incumbent for a period not exceeding six calendar months, either on a Full-Time or Part-Time basis.

"Town," the Town of Southborough.

SECTION 2. TITLES OF POSITIONS

No persons shall be appointed, employed or paid as an employee in any position subject to the provisions of the Salary Administration Plan and Personnel By-Laws under any title other than those of the Classification Schedule, or under any title other than that of the job, the duties of which are actually performed. The job title in the Classification Schedule of the Plan shall be the official title for all purposes having to do with the position and shall be used to designate the position in all payrolls, budget estimates and official reports, and in every other connection involving personnel and fiscal processes.

SECTION 3. NEW OR CHANGED POSITIONS

Before a new position is established, or the duties of an existing position are so changed that a new level or work demand exists and in effect a new position is created, upon presentation of substantiating data satisfactory to the Personnel Board, the Board shall rate such new changed position and allocate it to its appropriate classification grade and establish the rate change therefore.

SECTION 4. RECLASSIFICATION OF EMPLOYEES

No position may be reclassified to a classification in another grade, either higher or lower, until the Personnel Board shall have determined such a reclassification will be consistent with the provisions of the Salary Administration Plan and Personnel By-Laws.

SECTION 5. JOB DESCRIPTIONS AND INTERPRETATIONS

The Personnel Board shall maintain written job descriptions of the position classes in the Classification Schedule of the Plan, each consisting of a statement describing the essential nature of the work and characteristics that distinguish the class from other classes. Department Heads shall be required to retain current job descriptions and to submit revisions to the Personnel Board after review by the Board of Selectmen or their designated appointee or the appropriate Commissioners or Trustees. The description for any class shall not limit what the duties or responsibilities of any position shall be, or to modify or in any way affect the power of any administrative authority to appoint, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

SECTION 6. COMPENSATION

a. The weekly pay period shall begin at 12:01 a.m. Thursday and shall end at 12:00 a.m. the following Wednesday.

b. Non-exempt employees subject to this Salary Administration Plan shall be paid time and one-half hours worked in the excess of eight (8) in a calendar day and/or 40 hours in one calendar week, provided such hours of work have been authorized by the Department Head.

In addition, all service outside of a non-exempt employee's regularly scheduled tour of duty shall be at the overtime rate. Any employee who is recalled to duty hereunder shall be paid at the overtime rate for all such time and shall be guaranteed a minimum of two (2) hours overtime recall pay.

c. The Salary Schedule of the Salary Administration Plan and Personnel By-Laws set forth as Schedules A, B, C, D, E and F of Section 21 of this by-law, shall consist of the maximum and minimum salaries, in the Classification Schedule. The salary grade shall be the salary range for all position classes allocated to that grade.

d. Amounts paid to employees in reimbursement for expenses incurred in the performance of their duties such as mileage, meals, lodging, dues or similar job-related expenses shall be paid in addition to their compensation. All such payments shall be made as other charges and expenses to the extent budgeted by each department, board or commission. The rate of reimbursement shall be based upon the actual documented expenditure made by the employee, or at rates established by the Internal Revenue Service, supported by that agency's requirements for documentation.

SECTION 7. ADJUSTMENT POLICIES

a. Every employee subject to this plan and who is in continuous Full-Time service of the Town, computed from the date of his/her latest employment, shall be eligible annually for consideration of a merit increase advance to the next higher step rate, one year from the date of his/her latest increase. Such increase is not to exceed one step rate in any single twelve month period until the maximum of the grade is obtained, subject to the approval of the Department Head, and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and the Personnel Board. An evaluation of the employee's performance, in format approved by the Personnel Board, must accompany a letter requesting a merit increase. The Employee shall appear before the Personnel Board prior to it acting on any request for a merit increase. Any employee denied such an increase has the right to appeal, in writing to the Personnel Board, which shall confer with the employee, the Department Head and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and shall decide the matter. The Personnel Board shall approve all adjustments, in advance.

b. Regular Part-Time employees in Schedule C shall be eligible for consideration for merit increases within their grade (between 0 and 4%) one year from the date of their last increase. Special, casual and other Part-Time personnel for whose positions there is a single rate established in Schedule D of Section 21, shall not be eligible for step rate increases.

SECTION 8. TRANSFERS AND PROMOTIONS

a. An employee who is promoted to a job with a higher rate range, or rate of pay shall enter it at the rate recommended by the Department Head with the approval of the Personnel Board, but in no event at a rate in excess of the maximum for such job. The employee may also receive at the time a one step rate increase, provided the maximum for the job is not exceeded, if the Department Head recommends that qualifications and performance warrant it and the Personnel Board approves. If the Department Head feels that there should be a trial period before recommending the promotional one step rate increase, on recommendation of the Department Head, the Personnel Board may approve such a deferred promotional increase at the conclusion of the trial period, not to exceed three (3) months.

b. An employee transferred to a job with a lower rate range, or rate of pay, shall enter it at the rate paid for the previous position or at the maximum rate for the job, whichever is the lower, provided the Personnel Board approves. The employee shall have a right to appeal to the Personnel Board and to be heard thereon, and the Personnel Board shall decide the matter.

SECTION 9. NEW PERSONNEL

a. Physical examinations are required of all employees before being hired consistent with the Town's policies.

b. The hiring rate shall be the minimum of the rate range of the job for which the new employee is hired, unless otherwise authorized by the Personnel Board. Department Heads shall notify the Personnel Board of the hiring of all personnel and their hiring rates.

c. For new regular Full-Time and new regular Part-Time personnel for whose positions there is a rate range and step rates, the first six months of employment shall be a probationary period at the end of which the employee may advance one step rate, provided that the Department Head and the Personnel Board decide the employee's performance warrants it. The employee shall thereafter be reviewed for a step rate increase one year from the date of the employee's latest increase. This probationary step rate increase shall apply only at the start of employment and shall not apply in case of transfer or promotion from one job to another.

d. During a new employee's probationary period the employee will earn vacation, sick and personal time in accordance with the schedules set forth in Section 11 b (1) and c (4).

SECTION 10. DEPARTMENT BUDGETS

Each Department Head shall include in the annual budget a pay adjustment section to provide funds for anticipated pay adjustment during the ensuing year, expenditures to be made therefrom only in accordance with the Salary Administration Plan and Personnel By-Laws with the approval of the Personnel Board.

SECTION 11. EMPLOYEE BENEFITS

Employee benefits, such as holiday and vacation with pay, sick leave and other such matters, are a cost item to the Town and a form of "indirect pay," and included in the coverage of the Salary Administration Plan and Personnel By-Laws, both those included in the Plan at its adoption and any other which may be included in the future.

a. Holidays with Pay

Each eligible Employee shall receive one day's pay at their regular straight time rate for the following holidays:

New Year's Day	Labor Day
Martin Luther King's Birthday	Columbus Day
Presidents' Day	Veteran's Day
Patriot's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Independence Day	Christmas Day
	Day before or after Christmas Day

To be eligible for holiday pay, an Employee must work both their regular scheduled day preceding and their regular scheduled day following the holiday, or be excused from work pursuant to the provisions for absences with pay listed in the next Section.

An Employee whose regular day off falls on a holiday may elect to have one day off with pay in the following week in lieu of holiday pay, providing the choice of day is approved by the Department Head.

Details as to administrative policies and practices relative to holidays with pay shall be prepared and established under the direction of the Personnel Board.

b. Vacations with Pay

(1) Regular Full-Time Employees who have been in the continuous employ of the Town, as such, shall be paid their regular week's pay or portion thereof as vacation pay in accordance with the following schedule:

Employed for	Hours Earned per month
0-5 years	6.666 hours per month
5-10 years	10.0 hours per month
10-15 years	13.333 hours per month
15-20 years	16.666 hours per month
20 years or more	20.0 hours per month

(2) New employees entering into a position with the Town of Southborough from a similar position in another municipality or similar government agency, will, at the recommendation of the hiring authority, and the approval of the Personnel Board, be allowed to enter into the vacation schedule using their years of service from their prior employment. The probationary period would still apply and no more than three weeks vacation could be used within the first year of employment with the Town of Southborough.

(3) Vacations shall be granted by Department Heads at such time as, in their opinion, will cause the least interference with the performance of the regular work of the Departments. An Employee shall be permitted to carry over up to one year's earned vacation. The Employee must have the Department Head's approval to take any portion of a prior year's unused vacation in addition to the days earned in the current fiscal year.

(4) Vacation accrual shall be increased based on the above schedule, and shall be effective on the anniversary of the employee's date of hire.

(5) If, in the opinion of the Department Head, there are unusual circumstances that warrant it, an Employee may, upon request, continue at work and receive vacation pay in lieu of taking vacation.

(6) In the event of termination of employment, which is caused through no fault of the Employee, or by reason of retirement, the Employee shall be paid, or be entitled to time off with pay, for any accumulated vacation time prorated on the basis of service since the Employee's preceding vacation. In the event of the death of any Employee, any accumulated vacation pay shall be paid to the Employee's estate.

(7) Vacation administrative policies and practices shall be prepared and established under the direction of the Personnel Board.

c. Sick Leave

(1) All regular Full-Time Employees shall be entitled to fifteen (15) days sick leave per year. Unused sick leave may be accumulated without limitation. Pay for each day of sick leave shall be at the rate of a regular day's pay. Absences on account of sickness in excess of that authorized may, at the discretion of the Department Head and the Personnel Board, be charged to vacation leave. Sick leave shall be payable only in cases of bona fide illness, non-work-connected accident, or work-connected accidents not covered by Massachusetts General Laws annotated Chapter 152 (Workers' Compensation). At retirement, the Town will pay the Employee twenty (20%) of the Employee's then-accumulated sick leave.

(2) Employees who because of sickness or a non-work-connected accident are absent for a period of more than three (3) days shall be required to present a doctor's certificate to their Department Head stating reason and period of time the Employee will be absent from work. The above section is not to be construed by an Employee or Department Head for time off for any sickness caused by over-indulgence in alcohol or narcotics or by his or her misconduct.

(3) An Employee may use up to seven (7) of the allowed fifteen (15) days of sick leave for the care of a sick family member who, in the opinion of the Department Head, is closely associated with the Employee.

(4) Details as to sick leave administrative policies and practices shall be as prepared and established under the direction of the Personnel Board. Each employee under this plan shall accrue 10 sick hours per month, equaling 120 hours annually (15 sick days); part-time employees will be compensated by a formula based on hours worked per week.

d. Personal Days

Each Employee shall be entitled to three (3) personal days per year. A Department Head may honor the request for a personal day made by any member of their Department who may have a normally accepted need for a personal day. However, in no event shall personal days for any one Employee exceed three days per year nor shall personal days accumulate from year to year. Personal days shall be granted annually on an employee's anniversary date. New employees shall be granted three (3) personal days when they commence employment.

e. Workers' Compensation

Workers' Compensation benefits shall be paid in accordance with the Town's Worker's Compensation Plan.

f. Military Leave

An employee in Full-Time employment in the military reserve shall be paid the difference between compensation received while on reserve duty and regular compensation rates paid to that employee by the Town. Such payment by the Town shall be limited to a period not to exceed two weeks in any twelve-month period and shall not include payment to members of the National Guard who may be mobilized during an emergency in the Commonwealth.

g. Jury Duty

Any employee who is called to jury duty shall receive an amount equal to the difference between their normal compensation and the amount (excluding any travel allowance) received from the court, upon presentation of evidence of the amount paid by the court.

h. Miscellaneous Paid Time Off

Working time lost from regularly scheduled work days for reasons listed below shall be without loss of pay, provided such lost time is with authorization of the Department Head:

(1) Bereavement leave - In the event of the death of a spouse, father, mother, children, father-in-law, mother-in-law, brother or sister, grandparent or of any person residing with the family of an employee, such employee shall be entitled to receive three (3) days leave for the purpose of the funeral arrangements and burial of said deceased. In the event that travel is required out of state, the Department Head in his or her discretion may authorize two (2) additional days of travel time.

(2) Inoculation required by Municipal Employer.

(3) Red Cross blood donation authorized by the Department.

(4) Medical examinations required by employer.

(5) Attendance at educational programs required or authorized by Town or Department.

i. Court Time Pay

Any employee who normally is on duty at night, or is on vacation, furlough or day off, who is required to attend Court as a witness or in any other capacity arising from the performance of his/her duty or in behalf of the Commonwealth or the Town in any civil or criminal case pending in any Court or before any official governmental board or agency shall be entitled to overtime compensation for every hour or fraction thereof during which they attend or appear, but in no event less than three (3) hours of such overtime pay.

j. Employee Educational Support

(1) Degree Incentives

All Full-Time employees subject to the provisions of the Salary Administration Plan and Personnel By-Laws who have earned credits leading to a degree while an employee of the Town in a field applicable to their position in a degree granting program from an accredited college or university, shall receive a one-time bonus, according to the following schedule:

Associates Degree	$800.00
Bachelors Degree	$1,200.00
Masters Degree	$1,500.00

A copy of the completed transcript or diploma or other appropriate evidence of the completed degree must be presented to the Department Head and a copy to the Board of Selectmen who shall maintain complete and ongoing records for participants.

(2) Tuition Reimbursement

The Town will provide tuition reimbursement to any full time employee, provided that the course is accredited and pertains to the employee's specific job or position. Such information shall be presented to the Department Head, in writing, prior to enrollment in the course.

(3) Approval

The employee must meet the following conditions to obtain the commitment of Town funds prior to registration by the employee:

(a) Obtain the approval of either:

(i) The Department Head and the Board of Selectmen or their designated appointee, or

(ii) The appropriate Commissioners or Trustees and the Personnel Board, or

(b) The employee assumes responsibility for payment; and

(c) An approved purchase order is issued prior to registration by the employee's Department Head.

(4) With respect to Tuition reimbursement, the employee must attain a grade for the course of "C" or better and present written verification of such grade to the Department Head.

l. Maternity/Paternity Leave

(1) Any employee who has completed the initial probationary period of six months, who is absent from such employment for a period not exceeding twelve weeks for the purpose of giving birth, caring for a newborn child or adoption of a child, said period to be hereinafter called maternity or paternity leave, and who shall give at least two weeks' notice to his/her Department Head or supervisor of departure and intention to return, shall be restored to his/her previous or a similar position with the same status pay, length of service credit and seniority, where applicable, and other employment benefits for which he/she was eligible on the date his/her leave commenced.

(2) Accrued sick leave benefits shall be provided for maternity/paternity leave purposes under the same terms and conditions which apply to other temporary medical disabilities.

(3) Such maternity/paternity leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit benefits, plans or programs for which he/she was eligible at the date of his/her leave, and any other advantages or rights of his/her employment incidental to his/her employment position.

m. Group Insurance

The Town will contribute fifty percent (50%) of the cost of an indemnity plan for medical coverage or ninety percent (90%) of the cost of the Health Maintenance Organization plan.

SECTION 12. LEAVE OF ABSENCE

a. A leave of absence for valid reasons may be granted by a Department Head, but shall be without compensation.

b. Leaves of absence of over three months' duration, except military leave, shall be considered a break in employment, and on return to work the employee shall have the status of a new employee unless an extension of leave beyond three months has been authorized by the Personnel Board.

SECTION 13. TRANSITIONS BETWEEN FULL-TIME AND PART-TIME STATUS

a. A Part-Time employee shall be eligible for Full-Time (employee) status when the employee has worked over 20 hours a week for a period of at least three consecutive months. This status change requires prior approval by the appropriate Department Head.

b. A Full-Time employee whose hours of employment total less than 20 hours per week, exclusive of legal holidays and authorized vacation leave, sick leave, bereavement leave and other authorized leaves of absence for a period of more than three consecutive months shall be considered to be a Part-Time employee.

SECTION 14. APPOINTMENT OF "ACTING" DEPARTMENT HEADS

a. The Board of Selectmen or the appropriate commissioners or trustees may appoint, where necessary, in the case of the absence of a Department Head for three (3) consecutive weeks, excluding vacation periods, an "Acting" Department Head.

b. These "Acting" employees shall be compensated at an additional step rate of 10% per week. Such pay shall be retroactive only upon the conclusion of three (3) consecutive weeks of service by the "Acting" Department Head.

c. While on "Acting" status, which should be no longer than three (3) months, an employee shall still be eligible for overtime pay when fulfilling regular duties from the previous job beyond normal working hours.

SECTION 15. PERSONNEL BOARD

a. There shall be a Personnel Board to administer the Salary Administration Plan and Personnel By-Laws. Said Board to be appointed by the Moderator, consisting of five voters other than employees of the Town or those regularly serving the Town in any elective capacity. They shall serve without compensation.

b. Future appointments shall be for three years. The Moderator shall fill any vacancies. All members shall continue to hold office until their successors have been appointed and qualified. The Personnel Board may employ assistance and incur expenses as it deems necessary, subject to appropriation of funds thereof.

SECTION 16. DUTIES OF THE PERSONNEL BOARD

a. The Personnel Board shall administer the Salary Administration Plan and Personnel By-Laws and shall establish such policies, procedures and regulations as it deems necessary for the administration of the Plan.

b. The Board shall meet annually in July and organize by the choice of a Chairman and Clerk. The Board shall meet at least monthly, except for the month of August. A majority of the Board shall constitute a quorum for the transaction of business. The votes of the majority of all the members of the Board shall be necessary on any matter upon which it is authorized to or required to pass under the Salary Administration Plan and Personnel By-Laws.

c. The Personnel Board shall maintain records of all employees subject to this Plan, included therein such information as it deems desirable, including without limitation personnel evaluations. Such records are to be kept by the Assistant Town Administrator, under the direction of the Personnel Board. Department Heads shall furnish such information as shall be requested by the Board. The Town Accountant shall also assist the Personnel Board in reviewing matters covered by the Plan and shall bring any issues relating to payment or accounting to the attention of the Board prior to payment.

d. The Personnel Board, from time to time, shall review the Classification Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. The Personnel Board may tentatively add a new class to the Classification Schedule or reallocate an existing class to a different compensation grade, either higher or lower, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting.

e. On or before November 10th of each year the Personnel Board may vote an annual adjustment to the Classification Schedule and establish the effective rate for Step 9 employees of each grade for the next fiscal year, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting. The Personnel Board shall base any annual adjustments upon available relevant information, including, but not limited to U.S. Department of Labor Cost of Living indices and salaries paid by equivalent towns for comparable positions.

f. Notwithstanding the foregoing the Personnel Board shall reserve the right to vote no adjustment as long as such determination is voted on or before November 10th of each year.

g. The Personnel Board shall, from time to time, review the Salary Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. It shall keep informed as to pay rates and policies outside the services of the Town, and shall recommend to the Town any action which it deems desirable to maintain a fair equitable pay level.

h. Matters that are sent to the Chairman of the Personnel Board by registered mail must be brought before the Board at its next scheduled meeting. Failure of the board to vote to approve or disapprove requests within thirty (30) days of that meeting shall constitute approval of the request. In addition, notice in writing shall be forwarded to the concerned employee and respective Department Head within three (3) days of the Board's decision. Notwithstanding, if the Personnel Board shall so request and the concerned employee and his/her Department Head shall mutually agree, a reasonable extension of these time periods may be granted.

i. Upon recommendation of a Department Head, supported by evidence in writing of special reasons and exceptional circumstances satisfactory to the Personnel Board, said Board may authorize an entrance rate higher than the minimum rate for a position, and such other variances in the Salary Administration Plan and Personnel By-Laws as it may deem necessary for the proper functioning of the services of the Town, and to effectuate the basic intent of the Plan.

SECTION 17. EMPLOYEES AND THE PERSONNEL BOARD

a. All employees presently covered by this Plan shall have the right to request an appointment to confer with the Board on any matter which is of interest or concern to them and which is covered by the Salary Administration Plan and Personnel By-Laws. The employee shall notify the Department Head in writing in advance of his/her desire to discuss the matter with the Board. One of the duties of the Board shall be to foster mutual understanding and good will with the personnel of the Town.

b. To facilitate this, if any employee should feel aggrieved by the operation of any provision of the Plan, he/she shall first discuss the matter with his/her Department Head, in a mutual effort to clear up any problems or misunderstanding.

c. If two weeks after such a conference, a satisfactory understanding and solution of the problem has not been reached, then either the Department Head or the employee may take the matter to the Board. The Board shall hear the parties not later than its next regular meeting. There shall be no discrimination or prejudice by a Department Head against any employee who may take a matter to the Board.

SECTION 18. AMENDMENT OF THE PLAN

The Salary Administration Plan and Personnel By-Laws may be amended in the same manner in which Town By-Laws may be amended; provided, however, that no amendment to the Plan shall be made until it has been presented by a signed petition addressed to and submitted to the Personnel Board, and acted upon by the Board. Upon receipt of such a written petition, the Board, after giving the petitioners, the Department Heads and employees affected at least one week's written notice, shall hold a hearing of the parties interested to consider the proposed amendment. If the Personnel Board shall approve of any such proposed amendment, it shall take the proper steps to bring the proposed amendment before the next annual Town Meeting for its consideration and action. If the Personnel Board shall disapprove any such proposed amendment, and failure to act thereof within fifteen days after the hearing shall be deemed disapproved, the petition may then be presented to the next Annual Town Meeting for its consideration and action, if so desired. The Board of its own motion, after a similar hearing and/or conference with parties interested, may propose an amendment to the Plan.

SECTION 19. CIVIL SERVICE LAW

Nothing in this by-law, or in the Salary Administration Plan and Personnel By-Laws, shall be construed to conflict with Chapter 31 of the General Laws, which is the Chapter dealing with the Civil Service Law.

SECTION 20. SEVERABILITY PROVISION

In the event that any provision of this by-law, or application thereof, shall be held to be invalid by the proper authorities, this shall not be construed to effect the validity of any other provision, or application thereof, of this by-law.

SECTION 21: CLASSIFICATION SCHEDULE

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9
I	30,000	30,900	32,136	33,421	34,758	36,149	37,595	39,099	*
II	35,000	36,050	37,492	38,992	40,551	42,173	43,860	45,616	*
III	40,000	41,200	42,848	44,562	46,345	48,198	50,126	52,131	*
IV	45,000	46,350	48,204	50,132	52,138	54,223	56,393	58,648	*
V	55,000	56,650	58,916	61,273	63,724	66,273	68,925	71,682	*
VI	60,000	61,800	64,272	66,843	69,517	72,298	75,190	78,198	*
VII	75,000	77,250	80,340	83,554	86,896	90,372	93,988	97,747	*

Note 1: Step 9 of the Classification Schedule will be addressed per Section 16 (e) of this plan.
Note 2: 3% FY05 merit increase approved by the Personnel Board on November 24, 2003.

SCHEDULE A: FULL-TIME SALARY GRADED POSITIONS

Staff Librarian (Hourly)	I
Maintenance Custodian (Hourly)	I
Maintenance Mechanic	II
Animal Control Officer	II
Assistant Director, Council on Aging	II
Outreach Coordinator	II
Program Coordinator, Recreation Commission	II
Assistant Director, Youth & Family Services	III
Children's Librarian	III
Staff Engineer	III
Assistant Town Administrator	IV
Director, Council on Aging	IV
Director of Recreation Commission	IV
Assistant Superintendent, DPW	V
Building Inspector	V
Facilities Manager	V
Library Director	V
Police Lieutenant (to expire 6/30/05)	V
Principal Assessor	V
Public Health Director	V
Town Accountant	V
Town Planner	V
Treasurer-Collector	V
Director, Youth & Family Services	V
Superintendent of Public Works	**VII**

SCHEDULE B: (Reserved)

SCHEDULE C: PART-TIME HOURLY GRADED POSITIONS

Seasonal Laborer	1
Library Page (P.T.)	1
Seasonal Laborer II	2
Summer Program Assistant, Youth Commission	2
Page, Library	3
Election Worker (P.T.)	3
Election Warden (P.T.)	4
Clerk, Library	5
Library Custodian	5
Substitute Custodian	5
Police Dispatcher	**8**
Secretary, Town Committee	8
Receptionist	8
Reserve Police Officer	**9**
Tree Warden	11
Administrative Assistant, Youth & Family Services	11

Hourly Rates for Part-Time Positions

Grade	Minimum	Maximum
1	$5.15	$7.70
2	$8.34	$12.35
3	$8.84	$12.98
4	$9.26	$13.78
5	$9.71	$14.49
6	$10.25	$15.22
7	$10.73	$15.95
8	$11.26	$16.77
9	$11.82	$17.62
10	$12.54	$18.66
11	$13.87	$20.70
12	**$21.00**	**$28.00**
13	**$29.00**	**$41.00**

SCHEDULE D: FIRE DEPT COMPENSATION (Positions not covered by Contract)

Grade	Proposed Pay Structure	Drills	Boxes	Signal 55
1	**Firefighter (Entry Level)**	**0.00**	**0.00**	**0.00**
2	**Firefighter I Certified**	**18.00**	**16.00**	**16.00**
3	**Firefighter I/II Certified**	**19.00**	**17.00**	**17.00**
4	**Firefighter I Certified/Operator**	**20.00**	**18.00**	**18.00**
5	**Firefighter I/II Certified/Operator**	**21.00**	**19.00**	**19.00**
6	**EMT (Entry Level)**	**0.00**	**0.00**	**0.00**
7	**EMT**	**18.00**	**16.00**	**16.00**
8	**EMT-I**	**20.00**	**18.00**	**18.00**
9	**Firefighter I Certified/EMT**	**20.00**	**18.00**	**18.00**
10	**Firefighter I/II Certified/EMT**	**21.00**	**19.00**	**19.00**
11	**Firefighter I Certified/Operator/EMT**	**22.00**	**20.00**	**20.00**
12	**FirefighterI/II Certified/Operator/EMT**	**23.00**	**21.00**	**21.00**
13	**Lieutenant**	**24.00**	**22.00**	**22.00**
14	**Lieutenant/EMT**	**26.00**	**24.00**	**24.00**

SCHEDULE E: MISCELLANEOUS ANNUAL COMPENSATION SCHEDULE

Clerk, Board of Registrars	$1,638.33
Registrar of Voters	$205.66
Town Counsel (plus fees)	$1,704.33
Veterans' Agent and Director of Veterans' Services	$9,836.68

SCHEDULE F – FEE BASED COMPENSATION (Recreation Seasonal Personnel)

Junior Playground Counselor	1
Senior Playground Counselor	2
Assistant Instructor	2
Assistant Supervisor	3
Monitors	3
Lifeguards	4
Instructors I	**5**
School Monitors	6
Activity Coordinator	6
Program Driver	6
Coordinator/Supervisor	11
Instructor II	**12**
Master Instructor	**13**

LONGEVITY SCHEDULE

Full-Time Employees: 20 Hours or more Note: Compensated on an annual basis

After 5 years	$400
After 10 years	$600
After 15 years	$700
After 20 years	$850
After 25 years	$1,000
After 30 years	$1,200
After 40 years	$1,500

MOTION MADE: That the Town amend the Salary Administration Plan by deleting it in its entirety and replacing it with a new Salary Administration Plan, as printed in the warrant, and further amend Section 11 m of the Salary Administration Plan, as printed in the warrant, by deleting it and inserting in its place the following:

m. Group Insurance

That the Town will contribute fifty percent (50%) of the cost of an indemnity plan for medical coverage or eighty percent (80%) of the cost of the Health Maintenance Organization plan.

MOTION CARRIES BY A MAJORITY.

ARTICLE 8: To see if the Town will vote to raise a sum of money not to exceed the sum of $34,686,862 as may be necessary for the Town's use, and make appropriations of the same, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION: To divide the question.
MOTION VOTED UNANIMOUSLY.

MOTION: To vote to transfer $200,000 from the Stabilization Fund.
(REQUIRES 2/3 VOTE)

MOTION: To take an umbrella vote on those budgets that do not have a hold on them. This one vote will have the affect of voting each separately.
MOTION VOTED UNANIMOUSLY.

MOTION: To pass all budgets that do not have a hold on them.
MOTION VOTED UNANIMOUSLY.

MOTION: To present the budgets in order from largest to smallest.
MOTION DEFEATED BY MAJORITY VOTE.

Town of Southborough, ANNUAL TOWN MEETING
Adjourned Session April 12, 2004

GENERAL GOVERNMENT

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
114 MODERATOR					
51000-51990 Total Personal Services (1)	50	50	50	50	
57000-57990 Total Other Charges and Exp	29	20	50	50	
MODERATOR TOTAL	**70**	**70**	**100**	**100**	**0.0%**
(1) A warrant article in previous years.					
121-129 EXECUTIVE					
121 ELECTED BOARD OF SELECTMEN					
51000-51990 Total Personal Services	3,000	3,000	3,000	3,000	
ELECTED BOARD OF SELECTMEN TOTAL	**3,000**	**3,000**	**3,000**	**3,000**	**0.0%**
A warrant article in previous years.					
122 BOARD OF SELECTMEN					
51000-51990 Total Personal Services (1)	174,446	172,751	181,631	181,910	
52000-53990 total Purchase of Services	1,511	611	5,323	3,730	
54000-55990 Total Supplies (2)	7,011	1,608	2,815	2,365	
57000-57990 Total Other Charges and Exp.	12,314	12,807	7,301	7,070	
BOARD OF SELECTMEN TOTAL	**195,282**	**187,777**	**197,070**	**195,075**	**-1.0%**
Changes to Budget due to New Chart of Accounts					
(1) Receptionist Salary moved to Other Oper. Budget	***25,225***	***29,018***	***29,328***	***30,794***	
(2) Office Suppl. Moved from Other Oper. Budget	***(7,011)***	***(1,608)***	***(1,800)***	***(1,800)***	
Total in "old" Selectmen Budget	*213,496*	*215,187*	*224,598*	*224,069*	
MOTION MADE: To reduce the budget of the Board of Selectmen ($195,075) by $3,000 to a new total of				192,075	
MOTION PASSED UNANIMOUSLY					
131 ADVISORY COMMITTEE					
57000-57990 Total Other Charges	135	145	135	135	
ADVISORY COMMITTEE TOTAL	**135**	**145**	**135**	**135**	**0.0%**
132 RESERVE FUND					
57000-57990 Total Other Charges and Exp.	144,687	95,488	250,000	250,000	
RESERVE FUND TOTAL	**144,687**	**95,488**	**250,000**	**250,000**	**0.0%**
135 TOWN ACCOUNTANT					
51000-57990 Total Personal Services	93,609	100,517	106,173	107,859	
52000-53990 Total Purchase of Services	30	0	200	200	
54000-55990 Total Supplies	246	450	700	700	
57000-57990 Total Other Charges and Exp.	40	40	50	100	
58000-58990 Total Capital Outlay	225	0	250	250	
TOWN ACCOUNTANT TOTAL	**94,150**	**101,007**	**107,373**	**109,109**	**1.6%**
136 AUDIT					
52000-53990 Total Purchase of Services	17,500	17,500	19,500	19,500	
AUDIT TOTAL	**17,500**	**17,500**	**19,500**	**19,500**	**0.0%**
A warrant article in previous years.					
140 ELECTED BOARD OF ASSESSORS					
51000-51990 Total Personal Services	2,250	2,250	2,250	2,250	
ELECTED BOARD OF ASSESSORS	**2,250**	**2,250**	**2,250**	**2,250**	
A warrant article in previous years.					
141 ASSESSORS					
51000-51990 Total Personal Services	113,125	118,625	122,003	121,850	
52000-53990 Total Purchase of Services	26,601	26,132	21,800	30,800	
54000-55990 Total Supplies	3,965	4,428	5,100	5,600	
57000-57990 Total Other Charges and Exp.	3,606	3,503	4,200	4,200	
58000-58990 Total Capital Outlay	1,953	0	0	0	
ASSESSORS TOTAL	**149,250**	**152,688**	**153,103**	**162,450**	**6.1%**
145 TREASURER/COLLECTOR					
51000-51990 Total Personal Services	141,149	148,296	173,000	160,814	
52000-53990 Total Purchase of Services	29,149	35,713	6,500	6,700	
54000-55990 Total Supplies	7,630	7,557	6,000	6,850	
57000-57990 Total Other Charges and Exp.	4,435	3,432	5,000	2,150	
TREASURER/COLLECTOR TOTAL	**182,363**	**194,998**	**190,500**	**176,514**	**-7.3%**

151-159 OPERATIONS SUPPORT

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
151 LEGAL					
52000-53990 Total Purchase of Services	147,299	56,426	60,000	65,000	
LEGAL TOTAL	**147,299**	**56,426**	**60,000**	**65,000**	**8.3%**

MOTION MADE: (By Advisory Committee) To reduce the budget of the Town Counsel ($65,000) by $5,000 to a new total of.. **60,000**

MOTION PASSED UNANIMOUSLY.

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
152 PERSONNEL BOARD					
52000-53990 Total Purchase of Services	6,340	6,517	4,200	4,450	
54000-55990 Total Supplies	125	0	0	50	
57000-57990 Total Other Charges and Exp.	0	0	0	120	
PERSONNEL BOARD TOTAL	**6,465**	**6,517**	**4,200**	**4,620**	**10.0%**

MOTION MADE: To reduce the budget of the Personnel Board ($4,620) by $1,500 to a new total of **3,120**

MOTION PASSED UNANIMOUSLY

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
153 SPECIAL LEGAL COUNSEL					
52000-53990 Total Purchase of Services	25,000	81,416	65,000	65,000	
SPECIAL LEGAL COUNSEL TOTAL	**25,000**	**81,416**	**65,000**	**65,000**	**0.0%**
A warrant article in previous years.					

MOTION MADE: To reduce the budget of the Special Legal Counsel ($65,000) by $5,000 to a new total of.. **60,000**

MOTION PASSED UNANIMOUSLY

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
155 MANAGEMENT INFORMATION SYSTEMS (1)					
20 GEOGRAPHIC INFORMATION SYST.					
52000-53990 Total Purchase of Services	0	0	36,400	33,200	
54000-55990 Total Supplies	0	0	2,000	2,000	
58000-58990 Total Capital Outlay	0	0	4,600	2,400	
GEOGRAPHIC INFORMATION SYSTEMS TOTAL	**0**	**0**	**43,000**	**37,600**	
21 OTHER INFORMATION SYSTEMS					
52000-53990 Total Purchase of Services	107,039	128,016	101,648	107,176	
54000-55990 Total Supplies	7,115	2,339	8,260	5,840	
58000-58990 Total Capital Outlay	17,623	27,147	13,100	26,300	
Other Information Systems Total	**131,777**	**157,502**	**123,008**	**139,316**	
MANAGEMENT INFORMATION SYSTEMS TOTAL	**131,777**	**157,502**	**166,008**	**176,916**	**6.6%**

Changes to Budget Due to New Chart of Accounts

(1) New Budget combining GIS Budget and MIS from "old" Other Operation Supp. Budget.

MOTION MADE: To reduce the budget of the Management Information System Budget ($176,916) by $10,000 to a new total of **166,916**

MOTION PASSED BY MAJORITY VOTE.

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
159 OTHER OPERATION SUPPORT					
51000-51990 Total Personal Services (1)	25,225	29,018	29,328	30,794	
52000-53990 Total Purchase of Services (2)	68,610	58,173	68,214	67,751	
54000-55990 Total Supplies (3)	1,045	3,334	4,066	5,658	
58000-58990 Total Capital Outlay	425	0	2,000	0	
OTHER OPERATION SUPPORT TOTAL	**95,305**	**90,525**	**103,608**	**104,203**	**0.6%**
Changes to Budget Due to New Chart of Accounts					
(1) Recept. Salary moved from "old" Selectmen's Budget	*(25,225)*	*(29,018)*	*(29,328)*	*(30,794)*	
(2) Moved to new MIS budget	*131,777*	*157,502*	*123,008*	*139,316*	
Electricity moved from "old" Public Bldgs	*(7,945)*	*(9,362)*	*(9,362)*	*(10,000)*	
Heat moved from "old" Public Buildings	*(3,206)*	*(5,236)*	*(5,236)*	*(8,731)*	
Water moved from J"old" Public Buildings	*(350)*	*(350)*	*(350)*	*(350)*	
Telephone moved to Recreation Budget	*1,500*	*1,500*	*1,500*	*1,500*	
Telephone moved to Council on Aging	*1,151*	*1,400*	*1,650*	*1,800*	
Telephone moved to Youth Commission	*624*	*684*	*744*	*780*	
(3) Office Suppl. Moved to Selectmen's Budget	*7,011*	*1,608*	*1,800*	*1,800*	
Misc. to Memorial Day Budget	*474*	*347*	*1,620*	*950*	
Total in "old" Other Operation Support	***201,116***	***209,600***	***189,654***	***212,725***	

160-169 LICENSING AND REGISTRATION

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
160 ELECTED TOWN CLERK					
51000-51990 Total Personal Services	25,000	25,000	25,000	25,000	
ELECTED TOWN CLERK TOTAL	**25,000**	**25,000**	**25,000**	**25,000**	**0.0%**
A warrant article in previous years.					
161 TOWN CLERK					
51000-51990 Total Personal Services	38,785	39,806	40,501	40,501	
52000-53990 Total Purchase of Services	625	460	560	560	
54000-55990 Total Supplies	1,156	779	900	900	
57000-57990 Total Other Charges and Exp.	1,251	517	1,190	1,190	
58000-58990 Total Capital Outlay	500	500	500	500	
TOWN CLERK TOTAL	**41,817**	**42,062**	**43,651**	**43,651**	**0.0%**
162 ELECTIONS & REGISTRATIONS					
51000-51990 Total Personal Services	40,464	54,702	48,025	51,881	
52000-53990 Total Purchase of Services	9,161	12,802	14,000	15,650	
54000-55990 Total Supplies	4,587	2,250	1,557	1,917	
57000-57990 Total Other Charges and Exp.	2,732	1,809	2,175	2,175	
58000-58990 Total Capital Outlay	9,095	500	500	500	
ELECTIONS & REGISTRATION TOTAL	**66,039**	**72,063**	**66,257**	**72,123**	**8.9%**

MOTION MADE: (By Board of Selectmen) To reduce the budget of the Elections and Registration Budget ($72,123) by $2,000 to a new total of **$70,123.**

AMENDMENT TO MOTION: (By Advisory Committee) To reduce the budget of the Elections and Registration Budget by $5,000 to a new total of **67,123**

AMENDMENT TO MOTION CARRIES BY MAJORITY VOTE.

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
171 CONSERVATION COMMISSION					
51000-51990 Total Personal Services (1)	20,595	20,595	20,595	26,380	
52000-53990 Total Purchase of Services	1,376	1,388	3,015	3,135	
54000-55990 Total Supplies (2)	50	400	180	180	
57000-57990 Total Other Charges and Exp.	260	425	500	600	
58000-58990 Total Capital Outlay	0	0	0	400	
CONSERVATION COMMISSION TOTAL	**22,281**	**22,808**	**24,290**	**30,695**	**26.4%**
Changes to Budget Due to New Chart of Accounts					
(1) Salary from Admin Support	*(20,595)*	*(20,595)*	*(20,595)*	*(26,380)*	
(2) Office Supplies from Admin Support	*(50)*	*(200)*	*(180)*	*(180)*	
Total in "old" Conservation Budget	***1,636***	***2,013***	***3,515***	***4,135***	

MOTION MADE: To reduce the budget of the Conservation Commission ($30,695) by $4,859 to a new total of **$25,836.**

AMENDMENT TO MOTION: to fund this budget of the Conservation Commission by...... **30,695**

AMENDMENT TO MOTION CARRIES BY A MAJORITY VOTE.

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
175 PLANNING BOARD					
51000-51990 Total Personal Services (1)	94,598	67,116	94,924	96,945	
52000-53990 Total Purchase of Services	1,040	4,140	1,500	1,610	
54000-55990 Total Supplies (2)	300	625	610	835	
57000-57990 Total Other Charges and Exp. (3)	7,115	7,034	3,970	4,009	
PLANNING BOARD TOTAL	**103,053**	**78,915**	**101,004**	**103,399**	**2.4%**
Changes to Budget Due to New Chart of Accounts					
(1) Salary from "old" Admin Support	*(26,232)*	*(28,884)*	*(27,528)*	*(27,528)*	
(2) Office Supplies from "old" Admin. Support	*(100)*	*(400)*	*(360)*	*(360)*	
(3) MetroWest Growth Mngmt. Article to Pl. Bd.	*(6,156)*	*(6,156)*	*(3,470)*	*(3,470)*	
Total in "old" Planning Board Budget	***70,565***	***43,475***	***69,646***	***72,041***	
176 ZONING BOARD OF APPEALS					
51000-51990 Total Personal Services	6,424	6,350	8,531	8,770	
52000-53990 Total Purchase of Services	3,637	5,630	3,400	3,700	
54000-55990 Total Supplies	100	200	180	180	
ZONING BOARD OF APPEALS TOTAL (1)	**10,161**	**12,180**	**12,111**	**12,650**	**4.5%**
Changes to Budget Due to New Chart of Accounts					
(1) Total Budget from "old" Administrative Support	*(10,661)*	*(12,050)*	*(12,311)*	*(12,650)*	
177 OPEN SPACE (1)					
52000-53990 Total Purchase of Services	0	0	0	490	
54000-55990 Total Supplies	0	0	0	360	
OPEN SPACE TOTAL	**0**	**0**	**0**	**850**	**#DIV/0!**
(1) New Budget	*0*	*0*	*0*	*(850)*	

191-199 OTHER

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
192 PUBLIC BUILDINGS AND PROPERTIES MAINTENANCE					
51000-51990 Total Personal Services (1)	67,788	175,643	173,479	191,134	
52000-53990 Total Purchase of Services (2)	170,314	176,565	187,737	216,750	
54000-55990 Total Supplies (3)	80,004	91,055	92,355	95,875	
57000-57990 Total Other Charges & Exp.	0	845	610	810	
58000-58990 Total Capital Outlay	0	2,040	0	0	
PUBLIC BLDGS & PROP MAINT TOTAL	**318,106**	**446,148**	**454,181**	**504,569**	**11.1%**
Changes to Budget Due to New Chart of Accounts					
(1) Salaries from Police Dept	*(13,593)*	*(20,652)*	*(12,243)*	*(13,161)*	
(2) Utilities to Other Operations Support and Recreation	*13,651*	*17,098*	*17,098*	*21,230*	
Water to Other Operations Support and Recreation	*600*	*600*	*600*	*600*	
Repair and Maint from other Budgets					
Library Services	*(16,103)*	*(16,850)*	*(14,000)*	*(12,850)*	
Public Works	*(5,383)*	*(4,277)*	*(7,000)*	*(7,000)*	
Fire Department	*(3,228)*	*(4,201)*	*(4,217)*	*(4,440)*	
Fire Dept Rentals	*(329)*	*(210)*	*(210)*	*(251)*	
Police Department	*(5,693)*	*(7,876)*	*(13,825)*	*(5,000)*	
Fire Dept Other Prop Related Serv. To Public Bldgs	*(588)*	*(279)*	*(300)*	*(1,980)*	
(3) Supplies from Fire Dept. Budget	*(4,963)*	*(4,647)*	*(3,855)*	*(4,875)*	
Total in "old" Public Buildings Budget	***282,477***	***404,854***	***416,229***	***476,842***	

MOTION MADE: To reduce the budget of the Public Buildings & Property ($504,569) by $30,000 to a new total of 474,569

MOTION PASSED UNANIMOUSLY.

200-299 PUBLIC SAFETY

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
210 POLICE DEPARTMENT					
51000-51990 Total Personal Services	1,044,648	1,136,442	1,236,502	1,170,584	
52000-53990 Total Purchase of services (2)	37,646	41,355	44,934	51,200	
54000-55990 Total Supplies	6,198	7,156	7,700	5,500	
57000-57990 Total Other Charges and Exp.	21,034	10,590	12,100	3,150	
58000-58990 total Capital Outlay	1,855	(122)	4,000	4,000	
POLICE DEPARTMENT TOTAL	**1,111,381**	**1,195,421**	**1,305,236**	**1,234,434**	**-5.4%**
Changes to Budget Due to New Chart of Accounts					
(1) Salaries to Public Buildings	*13,593*	*20,652*	*12,243*	*13,161*	
(2) Building Repair and Maintenance To Public Buildings	*5,693*	*7,876*	*13,825*	*5,000*	
Total in "old" Public Buildings Budget	***1,130,667***	***1,223,949***	***1,331,304***	***1,252,595***	

MOTION: That the Police Department Budget ($1,234,434) be reduced by $5,000 to a new total of **$1,229,434.**

AMENDMENT TO MOTION: to fund the Police Department Budget at 1,234,434

AMENDMENT TO MOTION PASSED BY MAJORITY VOTE.

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
220 FIRE DEPARTMENT					
51000-51990 Total Personal Services	1,188,453	1,210,955	1,452,488	1,410,982	
52000-53990 Total Purchase of Services (1)	33,207	54,181	45,395	84,349	
54000-55990 Total Supplies (2)	67,157	49,615	30,034	58,260	
57000-57990 Total Other Charges and Exp.	2,965	2,515	3,975	3,975	
58000-58990 Capital Outlay	3,852	479	4,105	2,000	
FIRE DEPARTMENT TOTAL	**1,295,634**	**1,317,745**	**1,535,997**	**1,559,566**	**1.5%**
Changes to Budget Due to New Chart of Accounts					
(1) Buildings & Ground Maintenance Moved toPublic Buildings	*3,228*	*4,201*	*4,217*	*4,440*	
Rentals "	*329*	*210*	*210*	*251*	
Other Property Related Services to Public Buildings	*588*	*279*	*300*	*1,980*	
(2) Building Repairs & Maint. Supplies "	*4,963*	*4,647*	*3,855*	*4,875*	
Custodial & Housekeeping Supplies "	*2,219*	*2,816*	*1,267*	*2,400*	
Total in "old" Fire Dept. Budget	***1,306,961***	***1,329,898***	***1,545,846***	***1,573,512***	

MOTION: That the Fire Department Budget ($1,559,566) be reduced by $1,500 to a new total of $1,558,066.

MOTION DEFEATED BY MAJORITY VOTE.

MOTION: to reduce the Fire Department Budget to a new total of 1,558,066

MOTION PASSED BY MAJORITY VOTE.

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
241 BUILDING DEPARMENT					
51000-51990 Total Personal Services (1)	79,529	83,841	88,006	89,209	
52000-53990 Total Purchase of Services	321	441	395	395	
54000-55990 Total Supplies (2)	85	419	480	480	
57000-57990 Total Other Charges and Exp.	1,815	1,795	1,505	1,880	
58000-58990 Total Capital Outlay	752	845	500	500	
BUILDING DEPARTMENT TOTAL	**82,502**	**87,341**	**90,886**	**92,464**	**1.7%**
Changes to Budget Due to New Chart of Accounts					
(1) Salary from "old" Admin Support	*(22,014)*	*(24,080)*	*(25,744)*	*(25,091)*	
(2) Office Supplies from "old" Admin Support	*0*	*(200)*	*(180)*	*(180)*	
Total in "old" Building Dept Budget	***60,488***	***63,061***	***64,962***	***67,193***	

MOTION: That the Building Department Budget ($92,464) be reduced by $4,286
to a new total of **88,178**
MOTION PASSED UNANIMOUSLY.

291 CIVIL DEFENSE					
51000-51990 Total Personal Services	1,013	3,454	854	2,271	
52000-53990 Total Purchase of Services	396	3,208	1,561	8,152	
54000-55990 Total Supplies	0	604	600	600	
57000-57990 Total Other Charges and Exp.	0	473	0	0	
58000-58990 Total Capital Outlay	748	12,931	500	0	
CIVIL DEFENSE TOTAL	**2,157**	**20,670**	**3,515**	**11,023**	**213.6%**

MOTION: That the Civil Defense Budget ($11,023) be reduced by $7,000
to a new total of **4,023**
MOTION PASSED UNANIMOUSLY.

292 ANIMAL CONTROL OFFICER AND ANIMAL INSPECTOR					
51000-51990 Total Personal Services	30,040	30,040	32,611	35,000	
52000-53990 Total Purchase of Services	2,286	7,430	7,300	7,100	
54000-55990 Total Supplies	74	0	0	500	
ANIMAL CONTROL OFFICER TOTAL	**32,400**	**37,470**	**39,911**	**42,600**	**6.7%**

MOTION: That the Animal Control Budget ($42,600) be reduced $12,000 to a new total **30,600**
MOTION PASSED UNANIMOUSLY.

400-499 PUBLIC WORKS AND FACILITIES

420,430,490 DEPT of PUBLIC WORKS					
(Highway, Cemetery, Tree)					
51000-51990 Total Personal Services	642,273	740,471	738,501	756,850	
52000-53990 Total Purchase of Services (1) (2) (3)	344,569	434,642	414,286	450,910	
54000-55990 Total Supplies	136,491	216,382	152,550	176,900	
57000-57990 Total Other Charges and Exp	537	627	800	800	
58000-58990 Total Capital Outlay	6,261	1,344	5,000	5,000	
ALL OTHER DEPARTMENT OF PUBLIC WORKS TOTAL	**1,130,131**	**1,393,466**	**1,311,137**	**1,390,460**	**6.0%**
Changes Due to New Chart of Accounts					
(1) Transfer from Article Hazardous Waste	*(12,228)*	*(10,000)*	*(11,051)*	*(10,000)*	
(2) Transfer from Article SUASCO	*0*	*0*	*(2,500)*	*(2,500)*	
(3) Building Maintenance and Repair to Public Buildings Budget	*5,383*	*4,277*	*7,000*	*7,000*	
Total in "old" Other DPW Budget	***1,123,286***	***1,387,743***	***1,304,586***	***1,384,960***	

MOTION: (By Board of Selectmen) That the DPW (Highway, Cemetery, Tree) Budget ($1,390,460) be reduced by $30,000 to a new total of **$1,360,460.**
AMENDMENT TO MOTION: (By Advisory Committee) To reduce the DPW Budget by $40,000 to a new total of **$1,350,460.**
AMENDMENT TO MOTION DEFEATED.
ORIGINAL MOTION PASSED BY MAJORITY VOTE with a new DPW Budget of ... **1,360,460**

Town of Southborough, ANNUAL TOWN MEETING
Adjourned Session April 12, 2004

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
450 DEPT OF PUBLIC WORKS – WATER					
51000-51990 Total Personal Services	261,038	308,990	341,632	358,087	
52000-53990 Total Purchase of Services	592,917	688,513	732,590	739,240	
54000-55990 Total Supplies	23,742	28,965	28,750	28,750	
57000-57990 Total Other Charges and Exp.	805	682	850	850	
58000-58990 Total Capital Outlay	2,554	1,688	3,500	3,500	
PUBLIC WORKS WATER DEPT TOTAL	**881,056**	**1,028,838**	**1,107,322**	**1,130,427**	**2.1%**
424 STREET LIGHTS					
52000-53990 Total Purchase of Services	95,278	95,273	105,000	105,000	
STREET LIGHTS TOTAL	**95,278**	**95,273**	**105,000**	**105,000**	**0.0%**

500-599 HUMAN SERVICES

510 ELECTED BOARD OF HEALTH					
5100-51990 Total Personal Services	450	450	450	450	
ELECTED BOARD OF HEALTH TOTAL	**450**	**450**	**450**	**450**	**0.0%**

A warrant article in previous years.

MOTION: To reduce the Elected Board of Health Budget ($450) by $447.00 to a new amount of $3.00.
MOTION DEFEATED BY MAJORITY VOTE.

511 BOARD OF HEALTH					
51000-51990 Total Personal Services	87,419	92,926	97,524	101,003	
52000-53990 Total Purchase of Services	7,264	3,184	9,777	10,360	
54000-55990 Total Supplies	648	1,240	1,300	900	
57000-57990 Total Other Charges and Exp.	5,040	6,222	5,115	1,747	
BOARD OF HEALTH TOTAL	**100,371**	**103,572**	**113,716**	**114,010**	**0.3%**

MOTION: (By Advisory Committee) That the Board of Health Budget ($114,010) be reduced by $2,500 to a new total of **$111,510.**
AMENDMENT TO MOTION: (By Board of Selectmen) To fund the Board of Health
Budget at **114,010**
AMENDMENT TO MOTION PASSED BY MAJORITY VOTE.

At this time the Quorum count was questioned: 174 voters were present.
At 11:15pm it was VOTED UNANIMOUSLY to suspend the rules to adjourn the Annual Town Meeting to Tuesday, April 13, 2004 at 7:30pm.

True Copy
Attest:

Paul J. Berry, Town Clerk

Town of Southborough, ANNUAL TOWN MEETING
Adjourned Session April 13, 2004

At the Adjourned session of the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough on Tuesday, April 13, 2004 at 7:30PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 229 voters were present.

Checkers:

Janet Mattioli
Gail Rowe
Lois Denman
Delia Mulvaney
Lidia Kiley
Linda Hubley
Alice Brenda Gaffney

Town of Southborough, ANNUAL TOWN MEETING
Adjourned Session April 13, 2004

The following were appointed by Moderator John Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:

Donald A. Neal	**Jeremiah D. McGillicuddy**
Donato A. Infante, Jr.	**Paul M. Cimino**
Charles P. Aspesi	**Dale E. Veeneman**

John H. Wilson, Town Moderator, called the meeting to order at 7:48pm.

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting.

Brian Ballantine, Treasurer/Collector
Gene Carlo, Superintendent-Director Assabet School
Paul T. Cibelli, Principal Assessor
Clare Curran, Library Director
Basilio Diaz, Facilities Manager
Kathryn Garcia, Director of Recreation
Vanessa D. Hale, Assistant Town Administrator
Bradford Jackson, Assistant Superintendent of Schools
John Kustigian, Business Manager Assabet School
Pam LeFrancois, Senior Center Director
John D. Mauro, Jr., Fire Chief
Michelle Muellenberg, MetroWest Daily News
Paul C. Pisinski, Public Health Director
Vic Robidoux, Fire Department
Laurie Sugarman-Whittier, Director of Youth and Family Services
William H. Webber, Police Chief
Marshall Wolff, MetroWest Daily News

There being no objections from the floor, it was voted to allow the above non-voters to remain:

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
541 COUNCIL ON AGING					
51000-51990 Total Personal Services	58,570	77,353	83,551	107,707	
52000-53990 Total Purchase of Services (1)	23,304	29,873	27,920	30,732	
54000-55990 Total Supplies	1,789	2,398	2,000	4,425	
57000-57990 Total Other Charges and Exp.	360	941	1,550	1,075	
58000-58990 Total Capital Outlay	4,968	5,522	0	0	
COUNCIL ON AGING TOTAL	**88,991**	**116,087**	**115,021**	**143,939**	**25.1%**
Changes to Budget Due to New Chart of Accounts					
(1) Telephone from Other Operations	*(1,151)*	*(1,400)*	*(1,650)*	*(1,800)*	
Total in "old" COA Budget	***87,840***	***114,687***	***113,371***	***142,139***	

MOTION: (Advisory) to reduce the Council on Aging Budget ($143,939) by $12,600 to a new total of $131,339.
MOTION DEFEATED.
MOTION TO MOVE THE QUESTION PASSED UNANIMOUSLY.
MOTION: (Board of Selectmen) to reduce the Council on Aging Budget by $5,716
to a new total of 138,223
MOTION PASSED UNANIMOUSLY.

542 YOUTH COMMISSION					
51000-51990 Total Personal Services	86,653	88,179	100,530	103,493	
52000-53990 Total Purchase of Services (1)(2)	19,610	19,724	14,244	14,430	
54000-55990 Total Supplies	4,291	4,075	2,800	2,800	
57000-57990 Total Other Charges and Exp.	2,069	1,645	2,200	2,200	
YOUTH COMMISSION TOTAL	**112,623**	**113,623**	**119,774**	**122,923**	**2.6%**
Changes to Budget Due to New Chart of Accounts					
(1) Tran. Fm Article Marlboro Addiction Ctr	*(3,000)*	*(3,000)*	*(3,000)*	*(3,000)*	
(2) Telephone from Other Operations	*(624)*	*(684)*	*(744)*	*(780)*	
Total in "old" Youth Comm. Budget	***108,999***	***109,939***	***116,030***	***119,143***	

MOTION: to reduce the Youth Commission Budget ($122,923) by $7,750 to a new total 115,173
MOTION PASSED UNANIMOUSLY.

543 VETERAN'S SERVICES					
51000-51990 Total Personal Services	9,838	9,838	9,838	9,837	
52000-53990 Total Purchase of Services	32	0	0	0	
54000-55990 Total Supplies	0	80	200	200	
57000-57990 Total Other Charges and Exp.	14,627	12,578	15,467	16,034	
VETERANS SERVICES TOTAL	**24,497**	**22,496**	**25,505**	**26,071**	**2.2%**

600-699 CULTURE & RECREATION

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
610 LIBRARY					
51000-51990 Total Personal Services	228,436	239,769	245,457	244,273	
52000-53990 Total Purchase of Services	16,873	20,072	25,140	25,140	
54000-55990 Total Supplies	62,623	64,809	61,800	60,800	
57000-57990 Total Other Charges and Exp.	9,937	4,729	13,100	15,250	
58000-58990 Total Capital Outlay	6,839	6,192	1,000	1,000	
LIBRARY TOTAL	**324,708**	**335,571**	**346,497**	**346,463**	**0.0%**
Changes to Budget Due to New Chart of Accounts					
(1) Bldgs. & Grnds. Maint. Tran. To Public Buildings	*16,103*	*16,850*	*14,000*	*12,850*	
Total in "old" Library Budget	***340,811***	***352,421***	***360,497***	***359,313***	

MOTION: (By Board of Selectmen) To reduce the Library Budget ($346,463) by $1,000 to a new total of $345,463.
MOTION DEFEATED.
MOTION: (By Advisory Committee) to reduce the Library Budget by $2,483
to a new total of 343,980
MOTION PASSED UNANIMOUSLY.

630 RECREATION COMMISSION					
51000-51990 Total Personal Services	82,936	94,020	108,327	112,402	
52000-53990 Total Purchase of Services (1)	9,112	6,430	9,160	12,268	
54000-55990 Total Supplies	313	808	900	834	
57000-57990 Total Other Charges and Exp.	2,707	1,956	4,630	2,535	
58000-58990 Total Capital Outlay	29	0	0	1,066	
RECREATION COMMISSION TOTAL	**95,097**	**103,214**	**123,017**	**129,105**	**4.9%**
Changes to Budget Due to New Chart of Accounts					
(1) Electricity from "old" Bldgs. & Ground	*(500)*	*(500)*	*(500)*	*(500)*	
Heat from "old" Bldgs. & Ground	*(2,0000*	*(2,000)*	*(2,000)*	*(2,000)*	
Water from "old" Bldgs. & Ground	*(250)*	*(250)*	*(250)*	*(250)*	
(2) Telephone from Other Operations	*(1,500)*	*(1,500)*	*(1,500)*	*(1,500)*	
Total in "old" Recreation Comm.Budget	***90,847***	***98,964***	***118,767***	***124,855***	

MOTION:(By Board of Selectmen) To reduce the Recreation Department Budget ($129,105) by $1,000 to a new total of $128,105.
MOTION DEFEATED.
MOTION: . (Advisory Board) To reduce the Recreation Department Budget ($129,105) by $6,000
to a new total of 123,105
MOTION PASSED BY MAJORITY VOTE.

691 HISTORICAL COMMISSION					
51000-51990 Total Personal Services	2,868	3,282	3,562	3,562	
54000-55990 Total Supplies	456	0	190	190	
HISTORICAL COMMISSION TOTAL	**3,324**	**3,282**	**3,752**	**3,752**	**0.0%**

MOTION: to reduce the Historical Commission Budget ($3,752) by $1,000 to a new total of 2,752
MOTION PASSED UNANIMOUSLY.

692 MEMORIAL DAY					
52000-53990 Total Purchase of Services	0	350	400	400	
54000-55990 Total Purchase of Supplies	2,664	4,315	1,925	1,250	
MEMORIAL DAY TOTAL	**2,664**	**4,665**	**2,325**	**1,650**	**-29.0%**
A warrant article in previous years.					
Changes in Budget Due to New Chart of Accounts					
Misc. to Memorial Day Budget	*(474)*	*(347)*	*(1,620)*	*(950)*	
Total in "old" Memorial Day Article	***2,190***	***4,318***	***705***	***700***	

693 HERITAGE DAY					
52000-53990 Total Purchase of Services	9,112	7,930	9,160	2,050	
54000-55990 Total Supplies	313	808	900	300	
HERITAGE DAY TOTAL	**9,425**	**8,738**	**10,060**	**2,350**	**-76.6%**
A warrant article in previous years.					

MOTION: (By Board of Selectmen) to reduce the Heritage Day Budget ($2,350) by $1,000 to a new total of $1,350.
AMENDMENT TO MOTION: (By Advisory Committee) To reduce the Heritage Day Budget ($2,350) by $1,850
to a new total of.. 500
AMENDMENT TO MOTION PASSED BY MAJORITY VOTE.

900-999 UNCLASSIFIED

BUDGET NAME	*FY 2002 ACTUAL*	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	*Percent Inc/Dec*
910 EMPLOYEE BENEFITS					
51000-51990 Total Personal Services	--	--	--	--	
51700 Police/Fire Accident and Worker's Compensation	28,798	93,396	124,500	136,950	
51710 Unemployment Payments	0	21,808	23,358	25,000	
51720 Health Insurance	1,362,390	1,676,102	2,127,041	2,629,665	
51730 Retirement Fund	443,856	492,692	507,531	524,871	
51740 Life Insurance	5,794	5,246	6,535	5,341	
51750 Social Security	54,053	52,904	60,000	56,000	
51770 Medicare	125,389	141,559	125,000	145,000	
51780 Dental Insurance	83,796	80,829	103,641	99,805	
EMPLOYEE BENEFITS TOTAL	**2,104,076**	**2,564,536**	**3,077,606**	**3,622,632**	**17.7%**
Changes to "old Insurance Budget Due to New Chart of Accounts					
(1) Workers' Comp from a Warrant Article	*(13,437)*	*(78,035)*	*0*	*0*	
(2) Unemployment from a Warrant Article	*0*	*(21,808)*	*(23,358)*	*(25,000)*	
(3) Retirement Fund from a Warrant Article	*(443,856)*	*(492,692)*	*(507,531)*	*(535,792)*	
(4) Consulting Services (See Below)	*7,413*	*5,113*	*11,000*	*11,000*	
(5) Liability Package Policy (See Below)	*164,744*	*80,213*	*165,500*	*203,500*	
Total in "old" Insurance Budget	***1,818,940***	***2,057,327***	***2,723,217***	***3,276,340***	

MOTION: (By Board of Selectmen) To reduce the Employee Benefits Budget ($3,622,632) by $121,559 to a new total of 3,501,073

MOTION PASSED UNANIMOUSLY.

945 LIABILITY INSURANCE					
52000-53990 Total Purchase of Services	7,413	5,113	11,000	11,000	
57100-57990 Total Other Charges and Exp.	164,580	80,117	165,000	203,500	
LIABILITY INSURANCE TOTAL	**171,993**	**85,230**	**176,000**	**214,500**	**21.9%**

700-799 DEBT SERVICE

710 RETIREMENT OF DEBT-GENERAL FUND					
59000-59490 Debt Service	---	---	---	---	
59100 Principal Long Term Debt	1,051,101	1,451,100	2,952,201	2,403,186	
59350 Principal Short Term Debt	0	0	0	229,164	
5900-59490 Total Debt Service-General Fund	**1,051,101**	**1,451,100**	**2,952,201**	**2,632,350**	**-10.8%**
750 INTEREST ON DEBT-GENERAL FUND					
59000-59490 Debt Service	---	---	---	---	
59150 Interest Long Term Debt	730,389	1,041,841	1,877,491	1,665,947	
59350 Principal Short Term Debt	0	0	0	2,928	
5900-59490 Total Debt Service-General Fund	**730,389**	**1,041,841**	**1,877,491**	**1,668,875**	**-11.1%**
710 RETIREMENT OF DEBT-WATER FUND					
59000-59490 Debt Service	---	---	---	---	
59100 Principal Long Term Debt	0	0	40,000	50,000	
59350 Principal Short Term Debt	0	0	0	0	
5900-59490 Total Debt Service-Water Fund	**0**	**0**	**40,000**	**50,000**	**25.0%**
750 INTEREST ON DEBT-WATER FUND					
59000-59490 Debt Service	---	---	---	---	
59150 Interest Long Term Debt	0	0	16,000	11,625	
59350 Principal Short Term Debt	0	0	0	0	
5900-59490 Total Debt Service-Water Fund	**0**	**0**	**16,000**	**11,625**	**-27.3%**

300-399 EDUCATION

BUDGET NAME	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	
300 ELECTED SCHOOL COMMITTEE				
51000-51990 Total Personal Services (1)	500	500	500	
ELECTED SCHOOL COMMITTEE TOTAL	**500**	**500**	**500**	0%
(1) A Warrant article in previous years.				
SOUTHBOROUGH SCHOOLS				
REGULAR DAY PROGRAMS				
ADMINISTRATION				
School Committee	14,885	10,500	10,500	
Superintendent's Office	150,315	153,297	161,672	
Administrative Support	144,178	152,860	159,685	
INSTRUCTION				
Supervision	31,329	35,400	38,100	
Principals	619,528	657,870	727,940	
Teaching	4,960,275	5,161,507	5,444,712	
Professional Development	60,458	77,400	77,300	
Textbooks & Materials	158,355	235,539	208,815	
Instructional Hardware & Software	34,074	42,467	50,926	
Library Services	178,674	188,428	242,827	
Instructional Equipment	25,595	20,052	36,722	
Guidance Services	154,836	171,202	163,455	
OTHER STUDENT SERVICES				
Testing	0	0	0	
Personnel Services	500	500	500	
Health Services	140,095	149,151	207,749	
Transportation	251,380	248,938	259,710	
Athletics	15,536	18,700	19,752	
Student Body Activities	12,595	16,478	17,688	
OPERATION AND MAINTENANCE OF BUILDINGS				
Operation of Buildings	831,477	880,279	1,014,508	
Maintenance of Buildings	241,620	201,098	252,005	
Extraordinary Maintenance	63,877	27,000	27,000	
Networking & Telecommunications	34,287	47,148	57,272	
FIXED CHARGES				
Rentals & Leases	47,529	52,825	61,814	
Retirement Liability	0	0	0	
TUITION, OTHER PUBLIC SCHOOLS				
Vocational Education	0	0	0	
REGULAR DAY PROGRAMS TOTAL	**8,171,398**	**8,548,639**	**9,240,652**	
SPECIAL EDUCATION PROGRAMS – CHAPTER 766				
INSTRUCTION				
Director	84,138	91,169	101,342	
Teaching	1,316,705	1,484,695	1,677,057	
Professional Development	1,206	2,000	2,000	
Instructional Technology	0	2,000	2,000	
Psychological Services	161,078	181,425	202,286	
OTHER STUDENT SERVICES				
Health Services	8,873	47,000	47,000	
Transportation Within	27,832	26,000	30,000	
OPERATION AND MAINTENANCE OF BUILDINGS				
Operation of Buildings	10,841	8,000	8,000	
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS				
Tuition, Out	754,260	883,853	1,058,291	
Transportation, Out	237,298	234,593	268,060	
PROGRAMS, MEMBER OF COLLABORATIVE				
Assabet Collaborative Assessment	25,266	11,000	11,000	
Tuition Out, Collaborative	95,743	108,406	59,140	
Transportation Out, Collaborative	16,235	59,780	68,315	
SPECIAL EDUCATION – CHAPTER 766 TOTAL	**2,739,475**	**3,139,921**	**3,534,491**	

Town of Southborough, ANNUAL TOWN MEETING
Adjourned Session April 13, 2004

BUDGET NAME	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	
SUMMARY				
REGULAR DAY PROGRAMS	8,171,398	8,548,639	9,240,652	
SPECIAL EDUCATION – CHAPTER 766	2,739,475	3,139,921	3,534,491	
GRAND TOTAL OPERATING BUDGET	**10,910,873**	**11,688,560**	**12,775,143**	**9.3%**

MOTION: (By Board of Selectmen) To reduce the Southborough School Budget ($12,775,143) by $39,991 to a new total of $12,735,152.
MOTION DEFEATED.
MOTION TO MOVE THE QUESTION PASSED BY MAJORITY VOTE.
MOTION: (By Advisory Committee) To fund the Southborough School Budget at **12,775,143**
MOTION PASSED BY MAJORITY VOTE.

ALGONQUIN REGIONAL HIGH SCHOOL			
REGULAR DAY PROGRAMS			
ADMINISTRATION			
School Committee	65,786	55,900	61,153
Superintendent's Office	149,428	152,907	159,432
Administrative Support	115,271	137,716	144,785
INSTRUCTION			
Supervision	63,149	65,680	68,640
Principals	539,745	560,704	628,293
Teaching	4,828,158	4,483,823	5,298,101
Professional Development	48,677	49,800	53,800
Textbooks & Materials	159,687	202,338	263,390
Instructional Hardware & Software	22,720	22,215	29,600
Instructional Equipment	31,387	29,000	45,400
Guidance Services	421,404	447,011	479,630
OTHER STUDENT SERVICES			
Testing	2,201	2,800	2,600
Health Services	70,480	76,764	101,242
Transportation	719,442	739,041	761,066
Athletics/Student Body Activities	474,121	453,421	467,956
Other Student Activities	9,559	4,800	9,300
OPERATION AND MAINTENANCE OF BUILDINGS			
Operation of Buildings	572,580	568,826	667,053
Maintenance of Buildings	114,903	98,780	105,650
Payment for Local Northboro Services	0	72,500	72,500
Extraordinary Maintenance	0	0	0
Networking & Telecommunications	15,759	26,040	26,040
FIXED CHARGES			
Rentals and Leases	95,166	101,450	111,264
Insurance	1,231,642	1,414,067	1,931,648
Retirement Liability	99,747	85,500	110,000
Debt Service	0	0	0
TUITION, OTHER PUBLIC SCHOOLS			
Vocational Education	0	0	0
School Choice	14,996	43,000	43,000
REGULAR DAY PROGRAMS TOTAL	**9,866,008**	**9,894,083**	**11,641,543**
SPECIAL EDUCATION PROGRAMS – CHAPTER 766			
ADMINISTRATION			
Legal Services	8,321	0	5,000
INSTRUCTION			
Director	80,822	85,560	81,869
Teaching	435,380	352,103	425,631
Professional Development	638	2,100	1,600
Instructional Technology	205	1,500	1,500
Psychological Services	65,332	69,668	75,632
OTHER STUDENT SERVICES			
Health Services	980	1,500	1,500
Transportation Within	5,094	35,000	47,500

BUDGET NAME	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*
OPERATION AND MAINTENANCE OF BUILDINGS			
New Equipment	6,462	2,000	2,000
Equipment Maintenance	203	500	500
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS			
Tuition, Out	287,841	423,226	488,368
Transportation, Out	50,439	40,000	55,00
PROGRAMS, MEMBER OF COLLABORATIVE			
Assabet Collaborative Assessment	19,581	7,800	7,800
Tuition Out, Collaborative	38,904	78,000	156,000
Transportation Out, Collaborative	15,787	20,000	27,000
SPECIAL EDUCATION – CHAPTER 766 TOTAL	**1,015,989**	**1,18,957**	**1,376,900**

SUMMARY

REGULAR DAY PROGAMS	9,866,008	9,894,083	11,641,543
SPECIAL ED –CHAPTER 766	1,015,989	1,118,957	1,376,900
GRAND TOTAL OPERATION BUDGET	**10,881,997**	**11,013,040**	**13,018,443**

Northborough-Southborough Regional School District
FY 2005 BUDGET & ASSESSMENTS – DEPT OF ED. RECOMMENDED METHOD
BASED ON SUPERINTENDENT'S RECOMMENDED BUDGET 12-17-03

			64.11% **Northboro**	35.89% **Southboro**
Step 1				
Superintendent's Recommended Operating Budget (FY 2005)		13,018,443.00		
Less Transportation	747,616.00			
SPED-Transportation	129,500.00	877,116.00		
Less Fixed Charges		0.00		
Net School Spending		12,141,327.00		
Less revenues		0.00		
Subtotal		12,141,327.00		
Less Chapter 70 Aid - Assume Level Funding		1,513,082.00		
Less State ward reimbursement		0.00		
Net Budget		10,628,245.00		
Step 2				
Minimum Local Contribution required by Ed Reform			**	**
Step 3				
Difference between Min Contrib. & Net Budget balance		10,628,245.00		
Step 4				
Apportion Step 3 amount by agreement			6,813,767.87	3,814,477.13
Step 5				
Transportation Budget	877,116.00			
Less Aid to Transportation				
estimated (Level Funding)	250,039.00	627,077.00	402,019.06	225,057.94
Step 6				
Other Operational Costs	0.00			
Less Revenues	0.00	0.00		
Step 7				
Debt Payments Not Exempt from Proposition 2 ½		133,676.00	88,707.00	44,969.00
Step 8				
Total assessments, Min. local contribution plus apportionments		11,388,998.00	7,304,493.93	4,084,504.07
Step 9				
Excess & Deficiency Offset		125,000.00	80,137.50	44,862.50
FY 2005 Assessment Not Exempt from Proposition 2 ½		**11,263,998.00**	**7,224,356.43**	**4,039,641.57**
Step 10				
Debt Payments Exempt from Proposition 2 ½		2,663,826.00	1,767,715.00	896,111.00
Total FY 2005 ASSESSMENT		**13,927,824.00**	**8,992,071.43**	**4,935,752.57**

**Information not available from DOE as of January 14, 2004

MOTION: to reduce the assessment for Northborough-Southborough Regional High School Budget ($4,935,753) by $610,194 to a new total of 4,325,559

MOTION PASSED UNANIMOUSLY.

NORTHBOROUGH-SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2005 BUDGET & ASSESSMENTS –DEPT OF ED. RECOMMENDED METHOD
BASED ON SUPERINTENDENT'S RECOMMENDED BUDGET 12-17-03

Assessment Comparison

Northborough

	Non Exempt	Exempt	Total
FY 2005 Assessment	7,224,356.43	1,767,715.00	8,992,071.43
FY 2004 Assessment	6,170,200.90	1,990,947.00	8,161,147.90
Dollar Increase	1,054,155.53	-223,232.00	830,923.53
Percent Increase	17.08%	-11.21%	10.18%

Town of Southborough, ANNUAL TOWN MEETING

Adjourned Session April 13, 2004

Southborough

	Non Exempt	Exempt	Total
FY 2005 Assessment	4,039,641.57	896,111.00	4,935,752.57
FY 2004 Assessment	3,234,336.10	959,478.00	4,193,814.10
Dollar Increase	805,305.47	-63,367.00	741,938.47
Percent Increase	24.90%	-6.60%	17.69%

BUDGET NAME	*FY 2003 ACTUAL*	*FY2004 BUDGET*	*FY2005 REQUEST*	
ASSABET VALLEY REGIONAL VOCATONAL SCHOOL				
SCHOOL COMMITTEE	93,010	96,933	96,307	
SUPERINTENDENT & BUSINESS OFFICE	414,969	435,868	454,650	
INSTRUCTION SUPERVISION	307,229	396,233	407,919	
PRINCIPAL OFFICE	133,670	140,996	142,474	
INSTRUCTION & SUPPLIES	6,263,850	6,466,875	6,606,915	
TEXTBOOKS	63,025	63,025	45,000	
LIBRARY SERVICES	105,631	109.334	109,133	
MULTI-MEDIA	12,500	12,500	8,000	
GUIDANCE SERVICES	403,226	411,766	439,200	
ATTENDANCE	22,818	24,324	24,418	
HEALTH SERVICES	71,578	76,110	80,368	
TRANSPORTATION CONTRACTS	798,654	824,144	846,735	
TRANSPORTATION SPORTS –FIELD TRIPS	37,326	37,326	36,001	
ATHLETICS PROGRAMS	258,392	268,556	264,499	
STUDENT BODY ACTIVITIES	83,350	86,020	87,731	
OPERATION OF PLANT	1,179,641	1,215,947	1,232,943	
MAINTENANCE OF PLANT	304,600	304,600	316,208	
HEALTH – LIFE - MEDICARE INSURANCE	809,700	864,195	997,145	
OTHER INSURANCES	191,837	199,667	213,985	
LEASES OF EQUIPMENT	25,000	25,000	25,000	
ACQUISTION OF FIXED ASSETS	177,700	168,200	157,000	
VOCATIONAL DAY OPERATING BUDGET	11,757,706	12,227,619	12,591,631	
RIGHT TO KNOW – ASBESTOS AUDIT	10,000	10,000	10,000	
SINGLE AUDIT REQUIREMENT	12,500	12,500	15,500	
RIGHTS TO KNOW – AUDIT BUDGET	22,500	22,500	25,500	
CAPITAL PROJECT ROOF (P & I)	0	0	0	
SPECIAL NEEDS	719,673	741,875	762,954	
TOTAL BUDGET	**12,499,879**	**12,991,994**	**13,380,085**	
SOUTHBORO ASSESSMENT................................	**185,410**	**189,119**	**175,988**	**-6.9%**
127 NORFOLK COUNTY AGRICULTURAL HIGH SCHOOL				
Tuition/Transportation Assessment	0	24,000	16,000	
NORFOLK COUNTY AGRICULTURAL HIGH SCHOOL TOTAL	**0**	**24,000**	**16,000**	**-33.%**

MOTION MADE: That the Town raise a sum of money not to exceed **$ 33,813,874** as may be necessary for the Town's use, and make appropriations for the same.

Transfer from the Cemetery Perpetual Care	$15,000.
Transfer from Free Cash	$1,541,729.
Transfer from Overlay Reserve	$122,249.
Transfer from Stabilization Fund	$225,808.
This REQUIRES 2/3 VOTE	
	11 YES
	1 NO
Transfer from Ambulance Fund, Receipts Reserved (Fund 23)	$55,000.
Transfer from Library Septic System	$5,647.
Transfer from Zoning Maps, Article 35 of 1999	$7,150.
Transfer from FY04 Algonquin Assessment	$169,370.
Transfer from Septic Betterment	$33,186.
Transfer from Premium Reserve	$55,105.82

That the balance of **$31,583,628.75** be raised and appropriated.
MOTION PASSED UNANIMOUSLY.

ARTICLE 9: To see if the Town will vote to transfer to Surplus Revenue Account (Excess and Deficiency) a sum of money, or do or act anything in relation thereto. (Proposed by the Town Accountant and the Board of Selectmen)

MOTION MADE: That the Town transfer to Surplus Revenue Account (Excess and Deficiency) the following sums:

Article	**Purpose**	**Amount**
Article 14 of 2003 ATM	Fayville Hall Renovations	$6,719.93

MOTION VOTED UNANIMOUSLY.

MOTION MADE: TO MOVE ARTICLE 54 FORWARD.
MOTION PASSED UNANIMOUSLY.

ARTICLE 54: To see if the Town will vote to amend the Zoning Code of the Town of Southborough [change 87 Turnpike Road from Residence B to Business Village], or do or act anything in relatin thereto. (Proposed by Charles F. Scott and 12 other petitioners)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough [change 87 Turnpike Road from Residence B to Business Village]. (Citizen's Petition)
AMENDMENT TO MOTION: TO POSTPONE INDEFINITELY.
AMENDMENT TO MOTION PASSED UNANIMOUSLY.

ARTICLE 10: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate $160,000 for the purpose of paying to retirees the amount due for accrued vacation and sick time, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $135,000 to pay retirees the amount due for accrued vacation and sick time.
MOTION PASSED BY MAJORITY VOTE.

At April 15, 2004 Adjourned session of ANNUAL TOWN MEETING.
MOTION MADE: TO RECONSIDER ARTICLE 10.
REQUIRES 2/3 VOTE
MOTION PASSED UNANIMOUSLY.

MOTION MADE: That the Town raise and appropriate the sum of $105,000 to pay retirees the amount due for accrued vacation and sick time.
MOTION PASSED UNANIMOUSLY.

ARTICLE 11: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $15,000 to fund ongoing maintenance of the Town House, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: (Board of Selectmen) That the Town raise and appropriate the sum of $15,000 to fund ongoing maintenance of the Town House.
MOTION DEFEATED.
MOTION MADE: (Advisory Committee) that the Town raise and appropriate the sum of $12,000 ongoing maintenance of the Town House.
MOTION VOTED UNANIMOUSLY.

ARTICLE 12: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $40,000 to be used to conduct a municipal facilities plan, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $40,000 to conduct a municipal facilities plan.
MOTION PASSED BY MAJORITY VOTE.

ARTICLE 13: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate the sum of $60,000 to purchase a financial software package for the financial officers of the Town, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $46,000 and transfer from water reserve $14,000 for a total of $60,000 to purchase a collection and billing software package for the financial officers of the Town.
MOTION PASSED BY MAJORITY VOTE.

ARTICLE 14: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate $30,000 for the purpose of continuing implementation of the Town's Geographic Information System, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $30,000 to continue implementation of the Town's Geographic Information System.
MOTION PASSED BY MAJORITY VOTE.

ARTICLE 15: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate $8,000 to fund monitoring of the Parkerville Road Landfill, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $8,000 to fund monitoring of the Parkerville Road Landfill.
MOTION VOTED UNANIMOUSLY.

ARTICLE 16: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $250,000 for the maintenance of Town roads, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $250,000 for the maintenance of Town roads.
MOTION VOTED UNANIMOUSLY.

ARTICLE 17: To see if the Town will vote to transfer from available funds and appropriate, the sum of $187,642 in anticipation of reimbursement from the Commonwealth of Massachusetts for Chapter 90 highway improvements, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town transfer from available funds and appropriate the sum of $187,642 in anticipation of reimbursement from the Commonwealth for Chapter 90 highway improvements.
MOTION VOTED UNANIMOUSLY.

ARTICLE 18: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, $170,000 for the purpose of purchasing Public Works Equipment, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $126,000 and transfer $44,000 from water reserve for a total of $170,000 for the purpose of purchasing Public Works Equipment.
MOTION VOTED UNANIMOUSLY.

ARTICLE 19: To see if the Town will vote to transfer from Water Reserves and appropriate a sum of money for the purpose of repairing, cleaning and/or painting water storage tanks, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town transfer from Water Reserves and appropriate the sum of $390,000 for repairing, cleaning and/or painting water storage tanks.
MOTION VOTED UNANIMOUSLY.

ARTICLE 20: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate $25,000 for Additional Remediation/Assessment at the Public Works facility, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $25,000 for additional/remediation/assessment at the Public Works facility.
MOTION VOTED UNANIMOUSLY.

ARTICLE 21: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $46,000 to acquire two new four-door full-size sedan police cruisers and authorize the Board of Selectmen to sell, turn in or otherwise dispose of two police cruisers, or do or act anything in relation thereto. (Proposed by the Police Chief)

MOTION MADE: That the Town raise and appropriate the sum of $46,000 to acquire two new four-door full-size sedan police cruisers and authorize the Board of Selectmen to sell, turn in or otherwise dispose of two police cruisers.
MOTION PASSED BY MAJORITY VOTE.

ARTICLE 22: To see if the Town will vote to raise and appropriate, transfer from available funds and appropriate, or borrow and appropriate, a sum of money to purchase 9 Cordaville Road (Chapel of the Cross) and further to authorize the Board of Selectmen to acquire and otherwise purchase said parcel of land, being shown as Lot 21 on Assessors Map 54, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town borrow and appropriate the sum of $1,095,000 to purchase 9 Cordaville Road (Chapel of the cross) and to authorize the Board of Selectmen to acquire and otherwise purchase said parcel of land being shown as Lot 21 on Assessors Map 54. This appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at the annual town election.
MOTION TO MOVE THE QUESTION PASSED UNANIMOUSLY.

MOTION PASSED BY: 125 YES
REQUIRES 2/3 VOTE 26 NO

At 11:15pm it was VOTED UNANIMOUSLY to suspend the rules to adjourn the Annual Town Meeting to Thursday, April 15, 2004 at 7:30pm.

True Copy
Attest:

Paul J. Berry, Town Clerk

Town of Southborough, ANNUAL TOWN MEETING
Adjourned Session April 15, 2004

At the Adjourned session of the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough on Thursday, April 15, 2004 at 7:30PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 157 voters were present.

Checkers:

Janet Mattioli	**Lidia Kiley**
Gail Rowe	**Linda Hubley**
Lois Denman	**Alice Brenda Gaffney**
Delia Mulvaney	

The following were appointed by Moderator John Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:

Howard D. Anderson, Jr.	**Donato A. Infante, Jr.**
Mark W. Davis	**Stephen Theran**
Frank A. Fazio	**Dale E. Veeneman**

John H. Wilson, Town Moderator, called the meeting to order at 8:13pm.

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting.

Brian Ballantine, Treasurer/Collector	Vera Kolias, Town Planner
Clare Curran, Library Director	Pam LeFrancois, Senior Center Director
Basilio Diaz, Facilities Manager	John D. Mauro, Jr., Fire Chief
Kathryn Garcia, Director of Recreation	Dawn Michanowicz, Assistant Town Clerk
Vanessa D. Hale, Assistant Town Administrator	Michelle Muellenberg, MetroWest Daily
	Paul C. Pisinski, Public Health Director
Bradford Jackson, Asst Supt. of Schools	William H. Webber, Police Chief

There being no objections from the floor, it was voted to allow the above non-voters to remain:

ARTICLE 23: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, a sum of money to fund rental space for the Council on Aging and Veterans' Agent, or to fund relocation of the Council on Aging and Veterans' Agent to either the Neary School or the Chapel of the Cross, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $84,614 for rental space for the Council on Aging and Veteran's Agent or to fund relocation of the Council on Aging and Veteran's Agent to either the Neary School or the Chapel of the Cross.
MOTION VOTED UNANIMOUSLY.

MOTION MADE: To hear Article 25 before Article 24.
MOTION VOTED UNANIMOUSLY.

MOTION MADE: To combine Article 24 and Article 25 to discuss together.
MOTION VOTED UNANIMOUSLY.

ARTICLE 25: To see if the Town will vote to authorize the borrowing of $5,000,000 for the purpose of purchasing real property, provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at the town election.", or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town delete the words under Article 3 of the Special Town Meeting Saturday, November 10, 2001 "for the sole or exclusive use of open space, conservation land, or land subject to conservation restrictions so that it can only be used for conservation purposes" so that the article reads:

To see if the Town will authorize the borrowing of $5,000,000 for the purpose of purchasing real property: provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election.

AMENDMENT TO MOTION MADE: TO POSTPONE INDEFINITELY Article 25.
AMENDMENT TO MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 24: To see if the Town will vote to rescind approval of ARTICLE 3 of the SPECIAL TOWN MEETING, Saturday, November 10, 2001 which read:

> "To see if the Town will authorize the borrowing of $5,000,000 for the purpose of purchasing real property for the sole or exclusive use of open space, conservation land, or land subject to conservation restrictions so that it can only be used for conservation purposes: provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election, or do or act anything in relation thereto. "

(Proposed by the Board of Selectmen)

MOTION MADE: That the Town rescind approval of Article 3 of the Special Town Meeting, Saturday, November 10, 2001 as printed in the Warrant.
REQUIRES 2/3 VOTE

AMENDMENT TO MOTION MADE: TO POSTPONE INDEFINITELY Article 24.
AMENDMENT TO MOTION CARRIES UNANIMOUSLY.

ARTICLE 26: To see if the Town will vote to rescind approval of ARTICLE 31 of the ANNUAL TOWN MEETING, Tuesday, April 24, 1990:

> "To see if the Town will vote to raise and appropriate a sum of money to purchase a parcel or parcels of land currently in use as a golf course from Saint Mark's School."

or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town Rescind approval of Article 31 of the Annual Town Meeting, Tuesday, April 24, 1990 as printed in the Warrant.
REQUIRES 2/3 VOTE
MOTION CARRIES UNANIMOUSLY.

ARTICLE 27: To see if the Town will vote to raise and appropriate, transfer from available funds and appropriate, or borrow and appropriate, a sum of money to implement GASB (Governmental Accounting Standards Bureau), or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $3,000 to implement GASB (Governmental Accounting Standards Bureau).
MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 28: To see if the Town will vote to reimburse the Southborough Cultural Arts Council for monies expended in excess of the approved amount for construction of an addition to the Southborough Arts Center. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate $21,885.86 to complete the addition to the Southborough Arts Center. This appropriation shall be contingent upon a favorable vote at the annual town election excluding this from the Proposition 2 ½ cap.
AMENDMENT TO MOTION MADE: TO POSTPONE INDEFINITELY.
AMENDMENT TO MOTION PASSED UNANIMOUSLY.

ARTICLE 29: To see if the Town will vote to transfer from the Receipts Reserve Fund (Fund 23) the sum of $145,000 for the purpose of purchasing a new ambulance, and authorize the Board of Selectmen to sell, turn in, or otherwise dispose of a 1993 Ford/Road Rescue ambulance, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town transfer from Receipts Reserve Fund (Fund 23) the sum of $145,000 to purchase a new ambulance and authorize the Board of Selectmen to sell, turn in, and otherwise dispose of a 1993 Ford/Road Rescue ambulance.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 30: To see if the Town will raise and appropriate, borrow and appropriate or transfer from available funds and appropriate the sum of $70,000 for the purpose of installing a vehicle exhaust ventilation system at Fire Headquarters, 21 Main Street, and Station 2 at 2 Harrington Court, or do or act anything in relation thereto. (Proposed by the Facilities Manager and the Fire Chief)

MOTION MADE: TO POSTPONE INDEFINITELY.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 31: To see if the Town will vote to raise and appropriate, or transfer from available funds and appropriate the sum of $35,000 for the purpose of purchasing and/or installing a public interactive notification system for disaster notification, or do or act anything in relation thereto. (Proposed by the Local Emergency Planning Committee)

MOTION MADE: TO POSTPONE INDEFINITELY.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 32: To see if the Town will vote to raise and appropriate, or transfer from available funds and appropriate the sum of $18,000 for the purpose of replacing the boiler and improving the heating systems located at Fire Headquarters, 21 Main Street, or do or act anything in relation thereto. (Proposed by the Facilities Manager and the Fire Chief)

MOTION MADE: That the Town raise and appropriate the sum of $18,000 to replace the boiler and improve the heating system located at Fire Headquarters, 21 Main Street.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 33: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of hiring consulting engineers by various Town departments, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $10,000 for the purpose of hiring consulting engineers by various town departments.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 34: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of maintenance of equipment, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINITELY.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 35: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, a sum of money for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: TO POSTPONE INDEFINITELY.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 36: To see if the Town will vote to establish and authorize the use of a revolving fund account pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½ for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town renew a revolving fund established under Chapter 44, Section 53 E ½, "An Act Authorizing Cities and Towns to Establish Certain Revolving Funds", a revolving fund for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund.
MOTION CARRIES UNANIMOUSLY.

(see Article 10)
MOTION MADE to reconsider Article 10.
REQUIRES 2/3 VOTE.
MOTION PASSED UNANIMOUSLY.

ARTICLE 37: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $99,344 for the FY 2005 installment of the multiyear technology update in all Southborough Public Schools, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)

MOTION MADE: That the Town raise and appropriate the sum of $86,542 for the FY 2005 installment of the multiyear technology update in all Southborough Public Schools.
MOTION VOTED UNANIMOUSLY.

ARTICLE 38: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money for making extraordinary repairs to the Margaret Neary Elementary School, including the payment of all costs incidental and related thereto, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)

MOTION MADE: That the Town borrow and appropriate the sum of $255,984 for making extraordinary repairs to the Margaret Near y School, including the payment of all costs incidental and related thereto. This appropriation and borrowing shall be contingent upon a favorable debt exclusion vote at the annual town election.
AMENDMENT TO MOTION: TO POSTPONE INDEFINETLY
AMENDMENT TO MOTION VOTED UNANIMOUSLY.

ARTICLE 39: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money for constructing, originally equipping and furnishing an addition or additions to the P. Brent Trottier Middle School, including the payment of all costs incidental and related thereto, for remodeling, reconstructing or making extraordinary repairs to the present P. Brent Trottier Middle School, including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Albert S. Woodward School, including the payment of all costs incidental and related thereto for remodeling, reconstructing or making extraordinary repairs to the present Albert S. Woodward School, including costs incidental and related thereto, or do or act anything in relation thereto. (Proposed by the Southborough School Building Committee)

MOTION MADE: TO POSTPONE INDEFINITELY
MOTION VOTED UNANIMOUSLY.

ARTICLE 40: To see if the Town will vote to amend the Code of the Town of Southborough by deleting Chapter 95 IN ITS ENTIRETY and inserting a new Chapter 95 as follows:

FALSE ALARM BYLAW

§ 95-1. Definitions
§ 95-2. Responsibility to register alarm systems
§ 95-3. Equipment Limitations
§ 95-4. False Alarms
§ 95-5. Monitoring Procedures
§ 95-6. Applicability
§ 95-7. Limitation of Liability
§ 95-8. Severability

§ 95-1. Definitions

ALARM SYSTEM: Any device which when activated transmits a signal to the police and/or fire department, or transmits a signal to a person or company, who relays information to the police and/or fire department, or produces an audible or visible signal to which the police and/or fire department is expected to respond.

ALARM USER: Any person who is the owner or person in charge of premises where an alarm system is maintained within the Town of Southborough.

FALSE ALARM: The activation of an alarm which results in the Police Department responding where it is determined after investigation by the police department that no criminal activity or attempted criminal activity has occurred, of the Fire Department responding where no actual fire is, or has occurred. A false alarm does not include alarms caused by hurricanes, surges or failures in the transmission of electrical power or other conditions that are beyond the control of the user, or in the case of a fire alarm, smoke caused by cooking, fireplace and stove use where no damage occurs.

The Town: The Town of Southborough.

§ 95-2. Responsibility to register alarm systems

A. Every alarm user shall register an alarm system by completing the required form which will include his/her name, person who is authorized to respond to an emergency signal transmitted by an alarm system and who can open or provide access to the premises where the alarm is located.

B. All existing alarm systems shall be registered with the Town of Southborough before January 1, 2005. All alarms users will register annually by January 1st of each subsequent year. The Annual Registration fee will be determined by the Board of Selectmen.

C. All security alarm systems installed after the effective date of this by-law shall be registered with the Chief of Police, and all fire and medical alarm systems installed after the effective date of this by-law shall be registered with the Fire Chief within thirty (30) days of the date of installation.

D. Penalty: Failure to comply with any Subsection of Section 2 shall be punishable by a fine of one hundred dollars ($100) for each offense.

§ 95-3. Equipment Limitations

A. Automatic Dialer Devices Prohibited: It shall be unlawful to install a mechanical protection device that is automatically keyed to and/or activates the telephone line(s) controlled by and/or listed to the Southborough Police and Fire Departments. All such devices installed before the effective date of this bylaw shall be removed before July 1, 2005.

B. Audible Device Time Limitation: All newly installed security alarm systems which use an audible bell, horn, or siren shall be equipped with an automatic shutoff device, which shall deactivate the alarm within fifteen (15) minutes. All existing alarm users with an audible bell, horn, or siren must have such deactivation systems installed by January 1, 2005. The exception shall be fire alarm systems.

C. Penalty: Failure to comply with any Subsection of Section 3 shall be punishable by a fine of one hundred dollars ($100) for each offense.

§ 95-4. False Alarms

A. Notice: An alarm user shall be notified by the Police Department in writing after the Police Department has recorded two (2) separate false security alarms from an alarm user within a twelve month period. An alarm user shall be notified by the Fire Department in writing after the Fire Department has recorded two (2) separate false fire or medical alarms from an alarm user within a twelve month period. The Police Chief, or his or her designee, shall notify the alarm user, in writing, of such facts, including the dates and times of each alleged false alarm. After three (3) separate false alarms, the Police Chief or designee will again notify the alarm user, in writing, of such facts. The Fire Chief, or his or her designee, shall notify the alarm user, in writing, of such facts, including the dates and times of each alleged false alarm. After three (3) separate false alarms, the Fire Chief or designee will again notify the alarm user, in writing, of such facts.

B. Testing: All users must notify the Police Department for security alarm systems, and the Fire Department for fire and medical alarm systems in advance of any testing equipment. Failure to notify the Police or Fire Department in advance of testing shall constitute a false alarm and be subject to the assessment schedule contained herein.

C. Penalties: An alarm user whose alarm system transmits or otherwise causes more than three (3) false alarms in a twelve month period shall be assessed a penalty of $50.00 for the fourth (4th) false alarm in any twelve month period; and a $100.00 penalty for each subsequent false alarm.

D. A security alarm user, or authorized key-holder is required to respond to all security alarm calls, unless a verified cancellation is received before the arrival of the police. The Police will accept these verified cancellations from
the owner, key-holder or monitoring company, before the arrival of the Police patrol unit(s). No fine will be charged for such cancellation. An alarm user, or authorized key-holder is required to respond to all fire alarm calls.

§ 95-5. Monitoring Procedures

A. An Alarm Business performing Monitoring/Central Station services for security systems shall:

1. Not request dispatch for police response during the first week after installation of an Alarm System, but rather use that week to train the Alarm User on proper use of the Alarm System, unless extenuating circumstances necessitate immediate requests for response as determined by the Administrator.

2. Report alarm signals by using telephone numbers designated by the Alarm Coordinator;

3. Attempt to Verify every alarm signal, except a duress or hold up alarm activation before requesting a police response to an alarm signal;

4. Communicate Alarm Dispatch Requests to the Southborough Police in a manner and form determined by the Alarm Coordinator;

5. Communicate Verified Cancellations of Alarm Dispatch Requests to the Police in a manner and form determined by the Alarm Coordinator;

6. Ensure that all Alarm Users of Alarm Systems equipped with Duress/ Panic Alarm are given adequate training as to their proper use;

7. No alarm calls received shall be reported by monitoring/central stations via 9-1-1.

B. An Alarm Business performing Monitoring/Central Station services for fire alarm systems shall:

   a. Meet all applicable requirements of Underwriters Laboratory and the National Fire Protection Association Standards for Fire Alarm monitoring stations.

   b. Report all fire alarms to Southborough Fire (508) 485-3232.

   c. Report all security alarms to Southborough Police at (508) 485-2121.

§ 95-6. Applicability

This bylaw shall be subject to the provisions of G.L.c.40 §21D for non-criminal enforcement. All fines shall be made payable to the Town Treasurer for deposit in the General Fund.

§ 95-7. Limitation of Liability

Notwithstanding the provisions of this By-law, the Town, its departments, officers, agents, and employees shall be under no obligation whatsoever concerning the adequacy, operation or maintenance of any alarm system or of alarm monitoring facilities. No liability whatsoever is assumed for the failure of such alarm devices for monitoring facilities or for failure to respond to alarms or for any other act or omission in connection with such alarm devices. Each alarm user shall be deemed to hold and save harmless the Town, its departments, officers, agents and employees from Liability in connection with the alarm user's alarm device.

§ 95-8 Severability
If any provision of this bylaw is found or determined by a court of competent jurisdiction to be unenforceable for any reason, then it is the intent that the remaining provisions continue in full force and effect.
, or do or act anything in relation thereto. (Proposed by the Fire Chief and the Police Chief)

MOTION MADE: That the Town amend the Code of the Town of Southborough by deleting Chapter 95 in its entirety and inserting a new Chapter 95, False Alarm Bylaw as printed in the Warrant.
AMENDMENT TO MOTION: to delete Section 95-2 as printed in the Warrant.
REQUIRES MAJORITY VOTE.
AMENDMENT TO MOTION FAILS.

ORIGINAL MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 41: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 138, Section 33 (b) as enacted by the Acts of the General Court 2003, Chapter 141, Section 32, which, in effect, will prohibit all Sunday sales of alcoholic beverages as to those licenses issued pursuant to Massachusetts General Laws, Chapter 138, Section 12 and 15, as amended, or do or act anything in relation thereto (Proposed by the Board of Selectmen)

MOTION MADE: That the Town accept the provisions of Massachusetts General Laws, Chapter 138, Section 33 (b) as enacted by the Acts of the General Court 2003, Chapter 141, Section 32 which will prohibit all Sunday sales of alcoholic beverages as to those licenses issued pursuant to Massachusetts General Laws, Chapter 138, Section 12 and 15.
MOTION DEFEATED UNANIMOUSLY.

ARTICLE 42: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 60, Section 77C, which permits Cities and Towns to accept deeds from persons with an interest in real property on which there are outstanding taxes and charges, as an alternative to tax taking or foreclosure, or do or act anything in relation thereto. (Proposed by the Town Treasurer/Collector)

MOTION MADE: That the Town accept the provisions of Massachusetts General Laws, Chapter 60, Section 77C, which permits Cities and Towns to accept deeds from persons with an interest in real property on which there are outstanding taxes and charges, as an alternative to tax taking or foreclosure.
MOTION VOTED UNANIMOUSLY.

ARTICLE 43: To see if the Town will vote to accept a Deed of Conveyance from Claire Friar, Owner by descent of certain property located at 26 Gilmore Road, Assessor's Map 7, Lot 6 pursuant to the authority of Massachusetts General Laws, Chapter 60, Section 77C. Being the same premises referred to in a Deed recorded on February 8, 1956 in the Worcester Registry of Deeds, Book 3751, Page 224. Said parcel containing .52 acres more or less, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town accept a Deed of Conveyance from Claire Friar, Owner by descent of certain property located at 26 Gilmore road, Assessor's Map 7, Lot 6 pursuant to the authority of Massachusetts General Laws, Chapter 60, Section 77C. Being the same premises referred to in a Deed recorded on February 8, 1956 in the Worcester Registry of Deeds, Book 3751, Page 224. Said parcel containing .52 acres more or less.
AMENDMENT TO MOTION: That acceptance of Deed be contingent on successful 21E Assessment.
AMENDMENT TO MOTION DEFEATED.

ORIGINAL MOTION VOTED UNANIMOUSLY.

ARTICLE 44: To see if the Town will vote to amend Chapter 6 of the Code of the Town of Southborough by inserting a new article as follows:

Article IV Southborough Housing Opportunity Partnership Committee
Section 6-11 Establishment

The Board of Selectmen shall appoint a citizen's committee to be called the Southborough Housing Opportunity Partnership Committee, to be comprised of five (5) members, serving staggered terms of three (3) years each. Said committee shall also include three ex-officio members, without voting authority, from the following: Board of Selectmen, Planning Board and Southborough Housing Authority.

Section 6-12 Purpose

Said Committee's purpose shall be to study, promote, and act as facilitators to create affordable housing in the Town of Southborough, and any other action related thereto.
, or do or act anything in relation thereto. (Proposed by the Board of Selectmen and SHOPC)

MOTION MADE: That the Town amend Chapter 6 of the Code of the Town of Southborough, Southborough Housing Opportunity Partnership Council, by inserting a new article as printed in the Warrant.
MOTION VOTED UNANIMOUSLY.

ARTICLE 45: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, by deleting 174.13.2.A (1) – "Major Residential Development – Applicability" and inserting the following language:

(1) Special permit required. Major residential development, that is, the creation of eight (8) or more lots or construction of eight (8) or more dwelling units within an eight-year period from or on a property or set of contiguous properties in common ownership as of January 1, 1986, is allowed on special permit, as indicated in
§ 174-8, Schedule of Use Regulations. Applicants applying under this section must also concurrently file the application with the Southborough Housing Opportunity Partnership Committee (SHOPC).

And to further amend this Section by deleting 174.13.2.E (1) – "Major Residential Development – Affordable Housing" and inserting the following language:

E. (1) Provision of affordable units.

a. Number of units to be provided: All developments including a residential component which are subject to this Section shall be required to set aside a minimum of twelve and one-half percent (12.5%) of the total number of dwelling units provided as affordable housing.

b. Fractions: If, when applying the percentage to the total number of units to determine the number of affordable units, the resulting number of affordable units includes a fraction of a unit, this fraction, if one-half (1/2) or greater, shall be rounded up to the next whole number. If the resulting number of affordable units includes a fraction of a unit less than one-half, the fraction shall be rounded down to the next whole number.

c. Sale, lease or rental of units to low-income households: Units set aside for sale, lease or rental to low-income households shall be restricted for occupancy by qualified households that meet the definition of "low" income set forth in this bylaw.

d. Affordability of rental and ownership units. Affordable rental and ownership units shall serve low-income households.

e. Relationship to the affordable housing inventory. It is intended that the affordable housing units serving low-income households that result from this bylaw be considered as Local Initiative Units in compliance with the requirements of the Commonwealth of Massachusetts Department of Housing and Community Development, as required for the ten-percent (10%) statutory requirement under MGL C. 40B. A low-income household is defined as having a total household or family income between fifty-one (51) percent and eighty (80) percent of the median income for the Boston Standard Metropolitan Statistical Area, as set forth in regulations promulgated from time to time by the U. S. Department of Housing and Urban Development, or by a similar federal agency created to replace it, as adopted by the Commonwealth of Massachusetts Department of Housing and Community Development.

f. Relationship to public funding programs. Developers may participate in public subsidy programs and still meet the requirements of this Section. Such participation will be subject to the approval of the subsidizing agency and to the unit price limitations of the funding program as well as those required by this Section. In case of conflicting price limitations, the lower price requirement shall prevail.

g. Relationships to other organizations. Subject to the approval of the Southborough Housing Opportunity Partnership Committee and the applicable subsidizing agency, developers may elect to work with a local nonprofit housing provider, such as the Southborough Housing Authority, to distribute, maintain or operate the units in accordance with the requirements and intent of this Section.

(2) Affordability requirements

a. Duration of affordability. Affordable units shall be subject to restrictions that to the extent legally possible shall preserve the permanent affordability (in perpetuity) of the units as defined by this bylaw, but in no case shall be fewer than 99 years.

b. Maximum rental price. Rents for the affordable units, including utilities (heat, water, electricity), shall not exceed 30% of the targeted annual gross household income, as determined by the Commonwealth of Massachusetts Department of Housing and Community Development. Specific prices shall be determined by the state or federal funding source, if applicable, and are subject to approval by the Southborough Housing Opportunity Partnership Committee.

c. Maximum sales price. Housing costs, including monthly housing payments, principal and interest payments, real estate taxes, and insurance, shall not exceed 30% of the targeted gross household income. Specific prices shall be determined by the state or federal funding source, if applicable, and are subject to approval by the Southborough Housing Opportunity Partnership Committee.

d. Resale prices. Subsequent resale prices shall be determined based on a percentage of the median income at the time of resale as determined by the federal Department of Housing and Urban Development and adopted by the Commonwealth of Massachusetts Department of Housing and Community Development. The resale price will be established based on a discount rate, which is the percentage of the median income for which the unit was originally sold. The method of resale price calculation shall be included as part of the deed restriction. Through agreement between the Southborough Housing Opportunity Partnership Committee and the developer or owner, this percentage may be increased or decreased by up to five per cent (5%) at the time of resale, in order to assure that the target income groups' ability to purchase will be kept in line with the unit's market appreciation and to provide a proper return on equity to the seller.

e. Marketing plan. The affordable units must be rented or sold using marketing and selection guidelines approved by the Southborough Housing Opportunity Partnership Committee, and in accordance with state guidelines.

f. Preference for Town residents and persons employed within the Town. Unless otherwise prohibited by a federal or state agency under a financing or other subsidy program, not less than seventy percent (70%) of the affordable units shall be initially offered to, in order of preference:

- To employees of the Town of Southborough for at least five (5) years;
- Current residents of the Town of Southborough who have resided in the Town for a minimum of five (5) years and/or persons who, although not currently residents of the Town, have previously resided in the Town of Southborough for a minimum of five (5) years in the last fifteen (15) years.

(3) Development standards.

a. Location of affordable units. Affordable units shall be dispersed throughout the development so as to ensure a true mix of market-rate and affordable housing.

b. Comparability. Affordable units shall be to the extent possible externally indistinguishable from market rate units in the same development. Affordable units should be comparable to market rate units in terms of location, quality, character, and room size.

c. Unit size. Except as otherwise authorized by the Southborough Housing Opportunity Partnership Committee, affordable units shall contain one or more bedrooms. The mix of unit sizes among the affordable units shall be proportionate to that of the development as a whole.

d. Rights and privileges. The owners or renters of affordable units shall have all rights, privileges and responsibilities accorded to market-rate owners or renters, including access to all non-fee amenities within the development.

(4) Incentive

To facilitate the objectives of this Section, modifications to the dimensional requirements in the applicable zoning district shall be permitted for projects subject to the requirements of this Section. The modifications shall be permitted as set forth below. The following incentive is available only for projects in which the affordable units are provided on-site.

a. Density Bonus. The minimum lot area per dwelling unit normally required in the applicable zoning district shall be reduced by that amount necessary, upon approval, to permit up to two additional units in the project for each one affordable unit as required in Section E. 1 (1) above.

(5) Alternative Methods of Affordability

a. This Section mandates that affordable units shall be provided onsite. However, in certain exceptional circumstances the Planning Board may, at the formal written request of the developer, consider an alternative method of compliance. In granting such authorization, the Town must find that the developer has demonstrated that building the required affordable units on-site would create a significant hardship, or that such alternate method of compliance is in the best interests of the Town. A significant hardship shall be defined as being of such significance that the property cannot physically accommodate the required affordable units and/or related requirements, such as height, setbacks, or parking. Hardship shall not be considered due to financial or marketing consideration. To have such a request considered, the burden of proof shall be on the developers, who must make full disclosure to the Planning Board of all relevant information. Approval of alternate methods of compliance shall be only for the methods described below.

Except as set forth below, affordable units provided through an alternate method shall comply in all other respects with the requirements of this Bylaw. The incentives described in Section

IV are not available to development proposals in which the requirements of this Section are met using one of the following alternative methods of compliance.

- The following alternative methods of compliance, in order of preference by the Town, may be considered by the Town in rare, exceptional circumstances:
- Off-site Location: With authorization by the Planning Board as described above, affordable units may be constructed by the developer on an alternate site. The alternate site must be suitable for residential development and must be within the Town of Southborough, and must add to the Town's stock of affordable housing units. Off-site units shall be comparable in quality, size and type to the market-rate units being created, and of a number no fewer than the number of units that would have otherwise been provided on-site. Affordable off-site units allowed by this by-law may be located in an existing structure, provided that their construction constitutes a net increase in the number of dwelling units contained in the structure. Off-site units shall be subject to the same construction schedule as otherwise required if on-site as set forth in Section VI. (3).
- Cash Contribution: With authorization by the Planning Board as described above, developers may make a cash payment to the Town to be used only for the purposes of providing housing affordable to low-income households as defined by this Bylaw.

For ownership developments, the financial contribution for each affordable unit shall be equal to the full purchase price of an affordable unit for a four-person low-income household as defined by this Bylaw and in accordance with the regulations and policies of the Department of Housing and Community Development. In order to include the value of the land, the financial contribution for each affordable unit shall also include an amount equal to the current year's assessed value of the land divided by the total number of units proposed, multiplied by the total number of affordable units.

For rental units, the financial contribution for each affordable unit shall be equal to the difference between the average market rental price for the market-rate units in the subject development and the rent affordable to a four-person low-income household as defined by this Ordinance, calculated over a term of 10 years. In order to include the value of the land, the financial contribution for each affordable unit shall also include an amount equal to the current year's assessed value of the land divided by the total number of units proposed, multiplied by the total number of affordable units.

Prior to the issuance of a final occupancy permit for any portion of the project, the contribution shall be payable in full, or a written agreement approved by the Planning Board and SHOPC must be recorded and filed with the Town Treasurer.

- Administration of funds. Funds donated to the Town in accordance with the provisions outlined in M.G.L., Chapter 44, Section 53A, shall be restricted solely for the creation of affordable housing, located in the Town of Southborough, and as defined by this bylaw. The funds shall be kept in a separate account by the Town Treasurer. The Town Treasurer shall deposit the funds in a bank or invest the same in securities as are legal under the law of the Commonwealth of Massachusetts. Any interest earned shall be credited to and become part of the fund. Any moneys conveyed to the Town in accordance with this Section shall be expended only with approval of the majority of Town Meeting.

(6)Enforcement

a. Legal restrictions. Affordable units shall be rented or sold subject to deed covenants, contractual agreements, and/or other mechanisms restricting the use and occupancy, rent levels and sales prices of such units to assure their affordability. All restrictive instruments shall be subject to review and approval by the Southborough Housing Opportunity Partnership Committee and Town Counsel. All condominium documents and fees shall be subject to review and approval by the Southborough Housing Opportunity Partnership Committee and Town Counsel.

b. Timing of commitments. All contractual agreements with the Town and other documents necessary to ensure compliance with this Section shall be executed prior to and as a condition of the issuance of any approval required to commence construction.

c. Timing of construction. As a condition of the issuance of approval under this Section, the Southborough Housing Opportunity Partnership Committee may set a time schedule for the construction of both affordable and market-rate units. No Certificate of Occupancy shall be issued for any market-rate units in a development subject to the requirements of this Section until 25% of the affordable units required to be constructed have been issued a Certificate of Occupancy. No Certificate of Occupancy shall be issued to more than 75% of the market-rate units until 100% of the affordable units required to be constructed have obtained a Certificate of Occupancy.

(7) Severability
In case any paragraph or part of this Section should be for any reason declared invalid or unconstitutional by any court of last resort, every other paragraph or part shall continue in full force and effect.

(8) Exempt areas. Development within a Critical Resource District (§ 174-8.10) shall be exempt from the requirements of this section.

And to further amend the section 174.13.2.F "Bonused Development" by deleting the following language:

(1) Mandatory bonus. The Planning Board shall authorize an increase in lots or dwelling units of ten percent (10%) above that allowed under Subsection D(1) in return for the inclusion of ten percent (10%) affordable housing required by Subsection E, except where restricted in the Critical Resource District.

And insert the following:

(1) Discretionary bonus. The Planning Board may also authorize up to an additional ten-percent increase based on the following criteria, unless the Board explains in its decision why unusual circumstances cause the Board to act otherwise:

(a) Middle income units. For units designed for households having incomes not exceeding one hundred forty percent (140%) of the median family income for the Boston Region, as estimated by the HUD Regional Economist:

[1] Bonus: One (1) added lot or unit for each middle income unit, provided that the following requirements are met.

[2] Continuing affordability. The units shall be assured of continuing affordability for middle income households, for not less than ten (10) years.

[3] Local preference. The provisions of Subsection (E)(4) applicable to affordable units shall also apply to middle income units.

(a) On-site preservation of critical areas. For land otherwise eligible to be credited towards lot area but not so credited and either restricted under a conservation restriction or deeded to the town, if that land is determined by the Planning Board to be of critical importance for retention in an undeveloped state such as the following:

[1] Land within two hundred (200) feet of existing major roads.

[2] Land across which there are important scenic views from publicly accessible points.

[3] Land of special habitat or ecological value and fragility.

[4] Bonus: one (1) added lot or dwelling unit for each lot which could reasonably be expected to be developed in the restricted area under a conventional plan in full conformance with zoning, subdivision regulations, and health codes. In making this determination, the Planning Board shall seek the advice of the Conservation Commission and Board of Health.

(c) Off-site preservation of critical areas. For land in Southborough not contiguous with the parcel to be developed, whether in the same ownership or not, if made part of the flexible development application and to be preserved under a conservation restriction or deeded to the town, if the Planning Board determines that the land is of critical importance for retention as provided under Subsection F(2)(b) above, and that the land being developed is not of critical importance for retention:

[1] Bonus: one (1) added dwelling unit for each dwelling unit which could reasonably be expected to have been developed on the restricted parcel under a conventional plan in full conformance with zoning, subdivision regulations and health codes.

[2] Critical resource bonus. In the case of land within the Critical Resource District proposed to be restricted, added dwelling units (which must be outside the district) shall equal double the number reasonably expected on a conventional plan for the restricted land.

, or do or act anything in relation thereto. (Proposed by Board of Selectmen and the Southborough Housing Opportunity Partnership Committee)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, be deleting 174.13.2.A (1) – "Major Residential Development – Applicability" and insert the language as printed in the Warrant.
REQUIRES 2/3 VOTE
AMENDMENT TO MOTION: In 174.12.3.E, (4)a. Density Bonus. In line 2, delete the word "two" and insert in its place the word "three". Also in (4) Incentive, delete the last sentence of the first paragraph that reads, "The following incentive is available only for projects in which the affordable units are provided on-site." In (5)a. Alternate Methods of Affordability, paragraph two, delete the words, "one of the following alternative methods", and insert in their place the words, "the cash contribution method".
AMENDMENT to MOTION VOTED UNANIMOUSLY.

SECOND AMENDMENT to MOTION: TO POSTPONE INDEFINITELY.
SECOND AMENDMENT to MOTION TO POSTPONE: FAILS BY MAJORITY VOTE.

THIRD AMENDMENT to MOTION: In Item E2(a) by eliminating "99" and substituting "50" years and Item E2(b) by eliminating the word "including" (first line) and substituting the word "excluding".
THIRD AMENDMENT to MOTION CARRIES BY MAJORITY VOTE.

MAIN MOTION WITH AMENDMENTS CARRIES UNANIMOUSLY.

ARTICLE 45 (as amended): To see if the Town will vote to amend the Zoning Code of the Town of Southborough, by deleting 174.13.2.A (1) – "Major Residential Development – Applicability" and inserting the following language:

(1) Special permit required. Major residential development, that is, the creation of eight (8) or more lots or construction of eight (8) or more dwelling units within an eight-year period from or on a property or set of contiguous properties in common ownership as of January 1, 1986, is allowed on special permit, as indicated in
§ 174-8, Schedule of Use Regulations. Applicants applying under this section must also concurrently file the application with the Southborough Housing Opportunity Partnership Committee (SHOPC).

And to further amend this Section by deleting 174.13.2.E (1) – "Major Residential Development – Affordable Housing" and inserting the following language:

E. (1) Provision of affordable units.

a. Number of units to be provided: All developments including a residential component which are subject to this Section shall be required to set aside a minimum of twelve and one-half percent (12.5%) of the total number of dwelling units provided as affordable housing.

b. Fractions: If, when applying the percentage to the total number of units to determine the number of affordable units, the resulting number of affordable units includes a fraction of a unit, this fraction, if one-half (1/2) or greater, shall be rounded up to the next whole number. If the resulting number of affordable units includes a fraction of a unit less than one-half, the fraction shall be rounded down to the next whole number.

c. Sale, lease or rental of units to low-income households: Units set aside for sale, lease or rental to low-income households shall be restricted for occupancy by qualified households that meet the definition of "low" income set forth in this bylaw.

d. Affordability of rental and ownership units. Affordable rental and ownership units shall serve low-income households.

e. Relationship to the affordable housing inventory. It is intended that the affordable housing units serving low-income households that result from this bylaw be considered as Local Initiative Units in compliance with the requirements of the Commonwealth of Massachusetts Department of Housing and Community Development, as required for the ten-percent (10%) statutory requirement under MGL C. 40B. A low-income household is defined as having a total household or family income between fifty-one (51) percent and eighty (80) percent of the median income for the Boston Standard Metropolitan Statistical Area, as set forth in regulations promulgated from time to time by the U. S. Department of Housing and Urban Development, or by a similar federal agency created to replace it, as adopted by the Commonwealth of Massachusetts Department of Housing and Community Development.

f. Relationship to public funding programs. Developers may participate in public subsidy programs and still meet the requirements of this Section. Such participation will be subject to the approval of the subsidizing agency and to the unit price limitations of the funding program as well as those required by this Section. In case of conflicting price limitations, the lower price requirement shall prevail.

g. Relationships to other organizations. Subject to the approval of the Southborough Housing Opportunity Partnership Committee and the applicable subsidizing agency, developers may elect to work with a local nonprofit housing provider, such as the Southborough Housing Authority, to distribute, maintain or operate the units in accordance with the requirements and intent of this Section.

(2) Affordability requirements

a. Duration of affordability. Affordable units shall be subject to restrictions that to the extent legally possible shall preserve the permanent affordability (in perpetuity) of the units as defined by this bylaw, but in no case shall be fewer than 50 years.

b. Maximum rental price. Rents for the affordable units, excluding utilities (heat, water, electricity), shall not exceed 30% of the targeted annual gross household income, as determined by the Commonwealth of Massachusetts Department of Housing and Community Development. Specific prices shall be determined by the state or federal funding source, if applicable, and are subject to approval by the Southborough Housing Opportunity Partnership Committee.

c. Maximum sales price. Housing costs, including monthly housing payments, principal and interest payments, real estate taxes, and insurance, shall not exceed 30% of the targeted gross household income. Specific prices shall be determined by the state or federal funding source, if applicable, and are subject to approval by the Southborough Housing Opportunity Partnership Committee.

d. Resale prices. Subsequent resale prices shall be determined based on a percentage of the median income at the time of resale as determined by the federal Department of Housing and Urban Development and adopted by the Commonwealth of Massachusetts Department of Housing and Community Development. The resale price will be established based on a discount rate, which is the percentage of the median income for which the unit was originally sold. The method of resale price calculation shall be included as part of the deed restriction. Through agreement between the Southborough Housing Opportunity Partnership Committee and the developer or owner, this percentage may be increased or decreased by up to five per cent (5%) at the time of resale, in order to assure that the target income groups' ability to purchase will be kept in line with the unit's market appreciation and to provide a proper return on equity to the seller.

e. Marketing plan. The affordable units must be rented or sold using marketing and selection guidelines approved by the Southborough Housing Opportunity Partnership Committee, and in accordance with state guidelines.

f. Preference for Town residents and persons employed within the Town. Unless otherwise prohibited by a federal or state agency under a financing or other subsidy program, not less than seventy percent (70%) of the affordable units shall be initially offered to, in order of preference:

- To employees of the Town of Southborough for at least five (5) years;
- Current residents of the Town of Southborough who have resided in the Town for a minimum of five (5) years and/or persons who, although not currently residents of the Town, have previously resided in the Town of Southborough for a minimum of five (5) years in the last fifteen (15) years.

(3) Development standards.

a. Location of affordable units. Affordable units shall be dispersed throughout the development so as to ensure a true mix of market-rate and affordable housing.

b. Comparability. Affordable units shall be to the extent possible externally indistinguishable from market rate units in the same development. Affordable units should be comparable to market rate units in terms of location, quality, character, and room size.

c. Unit size. Except as otherwise authorized by the Southborough Housing Opportunity Partnership Committee, affordable units shall contain one or more bedrooms. The mix of unit sizes among the affordable units shall be proportionate to that of the development as a whole.

d. Rights and privileges. The owners or renters of affordable units shall have all rights, privileges and responsibilities accorded to market-rate owners or renters, including access to all non-fee amenities within the development.

(4) Incentive

To facilitate the objectives of this Section, modifications to the dimensional requirements in the applicable zoning district shall be permitted for projects subject to the requirements of this Section. The modifications shall be permitted as set forth below.

a. Density Bonus. The minimum lot area per dwelling unit normally required in the applicable zoning district shall be reduced by that amount necessary, upon approval, to permit up to three additional units in the project for each one affordable unit as required in Section E. 1 (1) above.

(5) Alternative Methods of Affordability

a. This Section mandates that affordable units shall be provided onsite. However, in certain exceptional circumstances the Planning Board may, at the formal written request of the developer, consider an alternative method of compliance. In granting such authorization, the Town must find that the developer has demonstrated that building the required affordable units on-site would create a significant hardship, or that such alternate method of compliance is in the best interests of the Town. A significant hardship shall be defined as being of such significance that the property cannot physically accommodate the required affordable units and/or related requirements, such as height, setbacks, or parking. Hardship shall not be considered due to financial or marketing consideration. To have such a request considered, the burden of proof shall be on the developers, who must make full disclosure to the Planning Board of all relevant information. Approval of alternate methods of compliance shall be only for the methods described below.

Except as set forth below, affordable units provided through an alternate method shall comply in all other respects with the requirements of this Bylaw. The incentives described in Section IV are not available to development proposals in which the requirements of this Section are met using the cash contribution method of compliance.

- The following alternative methods of compliance, in order of preference by the Town, may be considered by the Town in rare, exceptional circumstances:

- Off-site Location: With authorization by the Planning Board as described above, affordable units may be constructed by the developer on an alternate site. The alternate site must be suitable for residential development and must be within the Town of Southborough, and must add to the Town's stock of affordable housing units. Off-site units shall be comparable in quality, size and type to the market-rate units being created, and of a number no fewer than the number of units that would have otherwise been provided on-site. Affordable off-site units allowed by this by-law may be located in an existing structure, provided that their construction constitutes a net increase in the number of dwelling units contained in the structure. Off-site units shall be subject to the same construction schedule as otherwise required if on-site as set forth in Section VI. (3).

- Cash Contribution: With authorization by the Planning Board as described above, developers may make a cash payment to the Town to be used only for the purposes of providing housing affordable to low-income households as defined by this Bylaw.

For ownership developments, the financial contribution for each affordable unit shall be equal to the full purchase price of an affordable unit for a four-person low-income household as defined by this Bylaw and in accordance with the regulations and policies of the Department of Housing and Community Development. In order to include the value of the land, the financial contribution for each affordable unit shall also include an amount equal to the current year's assessed value of the land divided by the total number of units proposed, multiplied by the total number of affordable units.

For rental units, the financial contribution for each affordable unit shall be equal to the difference between the average market rental price for the market-rate units in the subject development and the rent affordable to a four-person low-income household as defined by this Ordinance, calculated over a term of 10 years. In order to include the value of the land, the financial contribution for each affordable unit shall also include an amount equal to the current year's assessed value of the land divided by the total number of units proposed, multiplied by the total number of affordable units.

Prior to the issuance of a final occupancy permit for any portion of the project, the contribution shall be payable in full, or a written agreement approved by the Planning Board and SHOPC must be recorded and filed with the Town Treasurer.

- Administration of funds. Funds donated to the Town in accordance with the provisions outlined in M.G.L., Chapter 44, Section 53A, shall be restricted solely for the creation of affordable housing, located in the Town of Southborough, and as defined by this bylaw. The funds shall be kept in a separate account by the Town Treasurer. The Town Treasurer shall deposit the funds in a bank or invest the same in securities as are legal under the law of the Commonwealth of Massachusetts. Any interest earned shall be credited to and become part of the fund. Any moneys conveyed to the Town in accordance with this Section shall be expended only with approval of the majority of Town Meeting.

(6) Enforcement

a. Legal restrictions. Affordable units shall be rented or sold subject to deed covenants, contractual agreements, and/or other mechanisms restricting the use and occupancy, rent levels and sales prices of such units to assure their affordability. All restrictive instruments shall be subject to review and approval by the Southborough Housing Opportunity Partnership Committee and Town Counsel. All condominium documents and fees shall be subject to review and approval by the Southborough Housing Opportunity Partnership Committee and Town Counsel.

b. Timing of commitments. All contractual agreements with the Town and other documents necessary to ensure compliance with this Section shall be executed prior to and as a condition of the issuance of any approval required to commence construction.

c. Timing of construction. As a condition of the issuance of approval under this Section, the Southborough Housing Opportunity Partnership Committee may set a time schedule for the construction of both affordable and market-rate units. No Certificate of Occupancy shall be issued for any market-rate units in a development subject to the requirements of this Section until 25% of the affordable units required to be constructed have been issued a Certificate of Occupancy. No Certificate of Occupancy shall be issued to more than 75% of the market-rate units until 100% of the affordable units required to be constructed have obtained a Certificate of Occupancy.

(7) Severability
In case any paragraph or part of this Section should be for any reason declared invalid or unconstitutional by any court of last resort, every other paragraph or part shall continue in full force and effect.

(8) Exempt areas. Development within a Critical Resource District (§ 174-8.10) shall be exempt from the requirements of this section.

And to further amend the section 174.13.2.F "Bonused Development" by deleting the following language:

(1) Mandatory bonus. The Planning Board shall authorize an increase in lots or dwelling units of ten percent (10%) above that allowed under Subsection D(1) in return for the inclusion of ten percent (10%) affordable housing required by Subsection E, except where restricted in the Critical Resource District.

And insert the following:

(1) Discretionary bonus. The Planning Board may also authorize up to an additional ten-percent increase based on the following criteria, unless the Board explains in its decision why unusual circumstances cause the Board to act otherwise:

(a) Middle income units. For units designed for households having incomes not exceeding one hundred forty percent (140%) of the median family income for the Boston Region, as estimated by the HUD Regional Economist:

[1] Bonus: One (1) added lot or unit for each middle income unit, provided that the following requirements are met.

[2] Continuing affordability. The units shall be assured of continuing affordability for middle income households, for not less than ten (10) years.

[3] Local preference. The provisions of Subsection (E)(4) applicable to affordable units shall also apply to middle income units.

(a) On-site preservation of critical areas. For land otherwise eligible to be credited towards lot area but not so credited and either restricted under a conservation restriction or deeded to the town, if that land is determined by the Planning Board to be of critical importance for retention in an undeveloped state such as the following:

[1] Land within two hundred (200) feet of existing major roads.

[2] Land across which there are important scenic views from publicly accessible points.

[3] Land of special habitat or ecological value and fragility.

[4] Bonus: one (1) added lot or dwelling unit for each lot which could reasonably be expected to be developed in the restricted area under a conventional plan in full conformance with zoning, subdivision regulations, and health codes. In making this determination, the Planning Board shall seek the advice of the Conservation Commission and Board of Health.

(c) Off-site preservation of critical areas. For land in Southborough not contiguous with the parcel to be developed, whether in the same ownership or not, if made part of the flexible development application and to be preserved under a conservation restriction or deeded to the town, if the Planning Board determines that the land is of critical importance for retention as provided under Subsection F(2)(b) above, and that the land being developed is not of critical importance for retention:

[1] Bonus: one (1) added dwelling unit for each dwelling unit which could reasonably be expected to have been developed on the restricted parcel under a conventional plan in full conformance with zoning, subdivision regulations and health codes.

[2] Critical resource bonus. In the case of land within the Critical Resource District proposed to be restricted, added dwelling units (which must be outside the district) shall equal double the number reasonably expected on a conventional plan for the restricted land.

ARTICLE 46: To see if the Town will vote to amend the Zoning Bylaw of the Town of Southborough, by deleting 174.9.H – "Multifamily housing for the elderly" and inserting the following language:

H. Multifamily housing for the elderly is allowed by special permit per the Schedule of Use Regulations, § 174-8.

(1) The Zoning Board of Appeals shall grant a special permit for elderly housing only after considering the following criteria. Applicants applying under this section must also concurrently file the application with the Southborough Housing Opportunity Partnership Committee (SHOPC).

(a) No development shall exceed an average per site of a maximum three (3) units per contiguous acre exclusive of wetlands (except as referenced in 174.13.3.7), and six (6) bedrooms per contiguous acre exclusive of wetlands. No unit shall have more than three (3) bedrooms. Any application submitted to the Zoning Board of Appeals for a Special Permit for Multifamily Housing for the Elderly prior to December 19, 1997 shall be exempt from the exclusion of wetlands when calculating the maximum number of units per site.

(b) The units shall have an exterior design that is consistent with the styles of the surrounding residential neighborhoods and the Town of Southborough in general.

(c) Wherever possible pedestrian connection to local services should be incorporated into the site design to lessen the dependency on the automobile.

(d) The plan shall be designed to maximize the preservation of the natural features of the site through the use of cluster housing, and/or creative site planning. Wherever possible existing vegetation should be retained throughout the site as a natural buffer to adjacent properties.

(e) The proposed development shall satisfy the criteria of this chapter (174-9) outlined in paragraph A., Decision considerations.

(f) The total cumulative number of units approved under this section by the Zoning Board of Appeals since January 1998 shall at no time exceed fifteen (15%) percent of the total number of one-family houses in Southborough at the beginning of the year in which the application is filed, based on the Assessor's records. Residences containing apartments shall be counted as one-family houses for the purpose of this subsection.

(2) The granting of a Special Permit by the Zoning Board of Appeals for multifamily housing for the elderly does not relieve the applicant from receiving all other applicable approvals, including Conservation Commission, Board of Health, and Site Plan approval from the Planning Board (re:174-10).

(3) I. Provision of affordable units.

(a) *Number of units to be provided:* All developments including a residential component which are subject to this Section shall be required to set aside a minimum of twenty-five percent (25%) of the total number of dwelling units provided as affordable housing.

(b) *Fractions:* If, when applying the percentage to the total number of units to determine the number of affordable units, the resulting number of affordable units includes a fraction of a unit, this fraction, if one-half (1/2) or greater, shall be rounded up to the next whole number. If the resulting number of affordable units includes a fraction of a unit less than one-half, the fraction shall be rounded down to the next whole number.

(c) *Sale, lease or rental of units to low-income households*: Units set aside for sale, lease or rental to low-income households shall be restricted for occupancy by qualified households that meet the definition of "low" income set forth in this bylaw.

(d) *Affordability of rental and ownership units.* Affordable rental and ownership units shall serve low-income households.

(e) *Relationship to the affordable housing inventory.* It is intended that the affordable housing units serving low-income households that result from this bylaw be considered as Local Initiative Units in compliance with the requirements of the Commonwealth of Massachusetts Department of Housing and Community Development, as required for the ten-percent (10%) statutory requirement under MGL C. 40B. A low-income household is defined as having a total household or family income between fifty-one (51) percent and eighty (80) percent of the median income for the Boston Standard Metropolitan Statistical Area, as set forth in regulations promulgated from time to time by the U. S. Department of Housing and Urban Development, or by a similar federal agency created to replace it, as adopted by the Commonwealth of Massachusetts Department of Housing and Community Development.

(f) *Relationship to public funding programs.* Developers may participate in public subsidy programs and still meet the requirements of this Section. Such participation will be subject to the approval of the subsidizing agency and to the unit price limitations of the funding program as well as those required by this Section. In case of conflicting price limitations, the lower price requirement shall prevail.

(g) *Relationships to other organizations.* Subject to the approval of the Southborough Housing Opportunity Partnership Committee and the applicable subsidizing agency, developers may elect to work with a local nonprofit housing provider, such as the Southborough Housing Authority, to distribute, maintain or operate the units in accordance with the requirements and intent of this Section.

II. Affordability requirements

(a) *Duration of affordability*: Affordable units shall be subject to restrictions that to the extent legally possible shall preserve the permanent affordability (in perpetuity) of the units as defined by this bylaw, but in no case shall be fewer than 99 years.

(b) *Maximum rental price.* Rents for the affordable units, including utilities (heat, water, electricity), shall not exceed 30% of the targeted annual gross household income. Specific prices shall be determined by the state or federal funding source, if applicable, and are subject to approval by the Southborough Housing Opportunity Partnership Committee.

(c) *Maximum sales price.* Housing costs, including monthly housing payments, principal and interest payments, real estate taxes, and insurance, shall not exceed 30% of the targeted gross household income, as determined by the Commonwealth of Massachusetts Department of Housing and Community Development. Specific prices shall be determined by the state or federal funding source, if applicable, and are subject to approval by the Southborough Housing Opportunity Partnership Committee.

(d) *Resale prices.* Subsequent resale prices shall be determined based on a percentage of the median income at the time of resale as determined by the federal Department of Housing and Urban Development and adopted by the Commonwealth of Massachusetts Department of Housing and Community Development. The resale price will be established based on a discount rate, which is the percentage of the median income for which the unit was originally sold. The method of resale price calculation shall be included as part of the deed restriction. Through agreement between the Southborough Housing Opportunity Partnership Committee and the developer or owner, this percentage may be increased or decreased by up to five per cent (5%) at the time of resale, in order to assure that the target income groups' ability to purchase will be kept in line with the unit's market appreciation and to provide a proper return on equity to the seller.

(e) *Marketing plan*: The affordable units must be rented or sold using marketing and selection guidelines approved by the Southborough Housing Opportunity Partnership Committee, and in accordance with state guidelines.

(f) *Preference for Town residents and persons employed within the Town.* Unless otherwise prohibited by a federal or state agency under a financing or other subsidy program, not less than seventy percent (70%) of the affordable units shall be initially offered to, in order of preference:

- To employees of the Town of Southborough for at least five (5) years;
- Current residents of the Town of Southborough who have resided in the Town for a minimum of five (5) years and/or persons who, although not currently residents of the Town, have previously resided in the Town of Southborough for a minimum of five (5) years in the past fifteen (15) years.

III. Development standards.

(a) *Location of affordable units.* Affordable units shall be dispersed throughout the development so as to ensure a true mix of market-rate and affordable housing.

(b) *Comparability.* Affordable units shall be to the extent possible externally indistinguishable from market rate units in the same development. Affordable units should be comparable to market rate units in terms of location, quality, character, and room size.

(c) *Unit size.* Except as otherwise authorized by the Southborough Housing Opportunity Partnership Committee, affordable units shall contain one or more bedrooms. The mix of unit sizes among the affordable units shall be proportionate to that of the development as a whole.

(d) *Rights and privileges.* The owners or renters of affordable units shall have all rights, privileges and responsibilities accorded to market-rate owners or renters, including access to all non-fee amenities within the development.

IV. Alternative Methods of Affordability

(a) This Section mandates that affordable units shall be provided onsite. However, in certain exceptional circumstances the Board may, at the formal written request of the developer, consider an alternative method of compliance. In granting such authorization, the Town must find that the developer has demonstrated that building the required affordable units on-site would create a significant hardship, or that such alternate method of compliance is in the best interests of the Town. A significant hardship shall be defined as being of such significance that the property cannot physically accommodate the required affordable units and/or related requirements, such as height, setbacks, or parking. Hardship shall not be considered due to financial or marketing consideration. To have such a request considered, the burden of proof shall be on the developers, who must make full disclosure to the Board of all relevant information. Approval of alternate methods of compliance shall be only for the methods described below.

Except as set forth below, affordable units provided through an alternate method shall comply in all other respects with the requirements of this Bylaw.

(b) The following alternative methods of compliance, in order of preference by the Town, may be considered by the Town in rare, exceptional circumstances:

- Off-site Location: With authorization by the Board as described above, affordable units may be constructed by the developer on an alternate site. The alternate site must be suitable for residential development and must be within the Town of Southborough, and must add to the Town's stock of affordable housing units. Off-site units shall be comparable in quality, size and type to the market-rate units being created, and of a number no fewer than the number of units that would have otherwise been provided on-site. Affordable off-site units allowed by this by-law may be located in an existing structure, provided that their construction constitutes a net increase in the number of dwelling units contained in the structure. Off-site units shall be subject to the same construction schedule as otherwise required if on-site as set forth in Section VI. (3).

- *Cash Contribution*: With authorization by the Board as described above, developers may make a cash payment to the Town to be used only for the purposes of providing housing affordable to low-income households as defined by this Bylaw.

  For ownership developments, the financial contribution for each affordable unit shall be equal to the full purchase price of an affordable unit for a two-person low-income household as defined by this Bylaw and in accordance with the regulations and policies of the Department of Housing and Community Development. In order to include the value of the land, the financial contribution for each affordable unit shall also include an amount equal to the current year's assessed value of the land divided by the total number of units proposed, multiplied by the total number of affordable units.

  For rental units, the financial contribution for each affordable unit shall be equal to the difference between the average market rental price for the market-rate units in the subject development and the rent affordable to a four-person low-income household as defined by this Ordinance, calculated over a term of 10 years. In order to include the value of the land, the financial contribution for each affordable unit shall also include an amount equal to the current year's assessed value of the land divided by the total number of units proposed, multiplied by the total number of affordable units.

  Prior to the issuance of a final occupancy permit for any portion of the project the contribution shall be payable in full, or a written agreement approved by the Planning Board and SHOPC must be recorded and filed with the Town Treasurer.

  (c) Administration of funds. Funds donated to the Town in accordance with the provisions outlined in M.G.L., Chapter 44, Section 53A, shall be restricted solely for the creation of affordable housing, located in the Town of Southborough, and as defined by this bylaw. The funds shall be kept in a separate account by the Town Treasurer. The Town Treasurer shall deposit the funds in a bank or invest the same in securities as are legal under the law of the Commonwealth of Massachusetts. Any interest earned shall be credited to and become part of the fund. Any moneys conveyed to the Town in accordance with this Section shall be expended only with approval of the majority of Town Meeting.

V. Enforcement

(a) *Legal restrictions.* Affordable units shall be rented or sold subject to deed covenants, contractual agreements, and/or other mechanisms restricting the use and occupancy, rent levels and sales prices of such units to assure their affordability. All restrictive instruments shall be subject to review and approval by the Southborough Housing Opportunity Partnership Committee and Town Counsel. All condominium documents and fees shall be subject to review and approval by the Southborough Housing Opportunity Partnership Committee and Town Counsel.

(b) *Timing of commitments.* All contractual agreements with the Town and other documents necessary to ensure compliance with this Section shall be executed prior to and as a condition of the issuance of any approval required to commence construction.

(c) *Timing of construction.* As a condition of the issuance of approval under this Section, the Southborough Housing Opportunity Partnership Committee may set a time schedule for the construction of both affordable and market-rate units. No Certificate of Occupancy shall be issued for any market-rate units in a development subject to the requirements of this Section until 25% of the affordable units required to be constructed have been issued a Certificate of Occupancy. No Certificate of Occupancy shall be issued to more than 75% of the market-rate units until 100% of the affordable units required to be constructed have obtained a Certificate of Occupancy.

VI. Severability
In case any paragraph or part of this Section should be for any reason declared invalid or unconstitutional by any court of last resort, every other paragraph or part shall continue in full force and effect.

, or do or act anything in relation thereto. (Proposed by Board of Selectmen and the Southborough Housing Opportunity Partnership Committee)

MOTION MADE: TO POSTPONE INDEFINITELY
MOTION VOTED UNANIMOUSLY.

ARTICLE 47: To see if the Town will vote to accept as a public way Angelica Lane, together with easements for drainage, access, egress and utilities as well as Parcels A & B for open space as described on a plan entitled "Roadway Acceptance Plan of Angelica Lane in Southborough, MA." prepared by Connorstone Consulting Engineers, dated February 20, 2004, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Angelica Lane, together with easements for drainage, access, egress and utilities as well as Parcels A & B for open space.
MOTION VOTED UNANIMOUSLY.

ARTICLE 48: To see if the Town will vote to accept as a public way Joslin Lane, together with easements for drainage, access, egress and utilities described on a plan entitled "Roadway Acceptance Plan of Joslin Lane and Witherbee Lane in Southborough, MA." prepared by Connorstone Consulting Engineers, dated February 20, 2004, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Joslin Lane, together with easements for drainage, access, egress and utilities.
MOTION MADE to move the question PASSED BY MAJORITY VOTE.
ORIGINAL MOTION DEFEATED by MAJORITY VOTE.

ARTICLE 49: To see if the Town will vote to accept as a public way Witherbee Lane, together with easements for drainage, access, egress and utilities described on the plans entitled "Roadway Acceptance Plan of Joslin Lane and Witherbee Lane in Southborough, MA." prepared by Connorstone Consulting Engineers, dated February 20, 2004, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as public way Witherbee Lane, together with easements for drainage, access, egress and utilities.
MOTION DEFEATED UNANIMOUSLY.

ARTICLE 50: To see if the Town will vote to accept as a public way Brookside Road, together with an easement for drainage as described on a plan entitled "Street Acceptance Plan of land of Brookside Road in Southborough, MA", prepared by Engineering Design Consultants, dated February 19, 2004, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Brookside Road, together with an easement for drainage.
MOTION VOTED UNANIMOUSLY.

ARTICLE 51: To see if the Town will vote to accept as a public way a portion of Ted Lane described on a plan entitled "Street Acceptance Plan of Land of Ted Lane in Southborough, MA." prepared by Engineering Design Consultants, Inc., dated February 19, 2004, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way a portion of Ted Lane.
MOTION VOTED UNANIMOUSLY.

ARTICLE 52: To see if the Town will vote to accept as a public way a portion of Banfill Lane described on a plan entitled "Roadway Acceptance Plan of a Portion of Banfill Lane in Southborough, MA." prepared by Highland Land Surveyors, Inc., dated April 26, 2002, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way a portion of Banfill Lane.
MOTION VOTED UNANIMOUSLY.

ARTICLE 53: To see if the Town will vote to have the property located off Route 85 and the Massachusetts Turnpike, known as Watkins Woods property, presently owned by the Town of Southborough and shown as parcel 12 on Assessor Map 14, formally designated as "Conservation Land" under the care and control of the Conservation Commission as provided for under Chapter 40, Section 8c of the Massachusetts General Laws, or do or act anything in relation thereto. (Proposed by Jack Barron and 11 other petitioners)

MOTION MADE: That the Town have the property located off Route 85 and the Massachusetts Turnpike, known as Watkins Woods property, presently owned by the Town of Southborough and shown as parcel 12 on Assessors Map 14, formally designated as "Conservation Land" under the care and control of the Conservation Commission as provided for under Chapter 40, Section 8c of the Massachusetts General Laws.
MOTION DEFEATED BY MAJORITY VOTE.

ARTICLE 54:
(voted on Tuesday, April 13, 2004)

ARTICLE 55: To see if the Town will vote to amend Chapter 3 of the Code of the Town of Southborough to provide for a new Section 3-11, Superintendent of Public Works Employment Contract, to said Code, as follows:

Section 3-11 Superintendent of Public Works Employment Contract

§ 3-9 A. The Town, acting by and through its Selectmen, may provide an employment contract, for a period of up to three years, to provide for the salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, relocation expenses, reimbursement of expenses incurred in the performance of duties or office, liability and disability insurance, and leave, for the Superintendent of Public Works.

§ 3-9 B. Such an employment contract shall prevail over and preempt any provision of any local personnel bylaw, Code section, rule or regulation covering the subject matter of the employment contract.

§ 3-9 C. If the Town Meeting votes to appropriate the funds necessary for the first year of any contract described herein, the Town shall be bound to fund the remaining term of the contract.

§ 3-9 D. Nothing contained in this section shall affect the appointment or removal powers of the Board of Selectmen over the above-referenced department head, nor shall it grant tenure to such department head.

§ 3-9 E. The Board of Selectmen may promulgate rules and regulations to carry out this bylaw.

MOTION MADE: That the Town amend Chapter 3 of the Code of the Town of Southborough to provide for a new Section 3-11, Superintendent of Public Works Employment Contract, to said Code as printed in the Warrant.
MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 56: To see if the Town will vote to amend Chapter 9 of the Code of the Town of Southborough by inserting a new Article IV, which shall establish a Community Preservation Committee as follows:

§ 9-1 Establishment
§ 9-2 Duties
§ 9-3 Requirements for a quorum and cost estimates
§ 9-4 Amendments
§ 9-5 Severability

Section 1. Establishment

There is hereby established a Community Preservation Committee consisting of nine (9) voting members pursuant to Massachusetts General Laws, Chapter 44B. The Committee shall be appointed by the Board of Selectmen and shall consist of the following members:

One member of the Historical Commission as designated by the Commission for an initial term of three years and thereafter for a term of three years.

One member of the Housing Authority as designated by the Authority for an initial term of one year and thereafter for a term of three years.

One member of the Conservation Commission as designated by the Commission for an initial term of two years and thereafter for a term of three years.

One member of the Planning Board as designated by the Board for an initial term of two years and thereafter for a term of three years.

One member of the Recreation Commission as designated by the Commission for an initial term of one year and thereafter for a term of three years.

One member of the Open Space Preservation Commission as designated by the Commission for an initial term of three years and thereafter for a term of three years.

One member of the Southborough Housing Opportunity Partnership Committee (SHOPC) as designated by the Commission for a term of three years.

Two members At Large to be appointed by the Board of Selectmen, for an initial term of one year and thereafter for a term of three years.

After the initial appointments, terms will begin on July 1 of each year.

Members At Large may not also be members of the Historical Commission, Housing Authority, Conservation Commission, Planning Board, Open Space Preservation Commission, Southborough Housing Opportunity Partnership Committee, Recreation Commission or the Board of Selectmen.

Members of the Historical Commission, Housing Authority, Conservation Commission, Planning Board, Open Space Preservation Commission, Southborough Housing Opportunity Partnership Committee and the Recreation Commission who are appointed to the Community Preservation Committee may continue to serve as members of the Community Preservation Committee after the expiration of their terms on their designating commission, authority or board.*

Should any commission, authority or board designating a member for the Community Preservation Committee cease to exist for whatever reason the Board of Selectmen will determine the appropriate alternative designating commission, authority or board, subject to any applicable state statute.

Section 2. Duties

1) The Community Preservation Committee shall study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with existing town boards, including the Historical Commission, Housing Authority, Conservation Commission, Planning Board, Recreation Commission, Open Space Preservation Commission and the Board of Selectmen, in conducting such studies. As part of its study the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

2) The Community Preservation Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, creation and preservation of land for recreational use; for the creation, preservation and support of community housing; and for the rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings, or construction of new buildings on previously developed sites.

3) The Community Preservation Committee may include in its recommendations to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation, but for which sufficient funds are not then available in the Community Preservation Fund to accomplish that specific purpose, or to set aside for later spending funds for general purposes that are consistent with community preservation.

Section 3. Requirements for a quorum and cost estimates

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Community Preservation Committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include their anticipated costs.

Section 4. Amendments

This By-law may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not be in conflict with Chapter 44B of the Massachusetts General Laws.

Section 5. Severability

In case any section, paragraph or part of this By-law be for any reason declared invalid or unconstitutional by any court of competent jurisdiction, it is intended that every other section, paragraph or part shall continue in full force and effect.

or do or act anything in relation thereto. (Proposed by Board of Selectmen and the Open Space Preservation Commission)

MOTION MADE: That the Town amend Chapter 9 of the Code of the Town of Southborough by inserting a new Article IV, which shall establish a Community Preservation Committee as printed in the Warrant.

AMENDMENT TO MOTION: That the Town amend this motion by deleting the following paragraph from Section 1.
Establishment:

"Members of the Historical Commission, Housing Authority, Conservation Commission, Planning Board, Open Space Preservation Commission, Southborough Hosing Opportunity Partnership Committee, and the Recreation Commission who are appointed to the Community Preservation Committee may continue to serve as members of the Community Preservation Committee after the expiration of their terms on their designating commission, authority or board."

AMENDMENT TO MOTION: VOTED UNANIMOUSLY.

SECOND AMENDMENT TO MOTION: That the Town further amend this article be deleting Section 2, Duties, Subsection 2 and insert a new Subsection 2 as follows:

(2) The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, rehabilitation, restoration and preservations of historic resources; for the acquisition, creation and preservation of land for recreational use; for the creation, preservation support of community housing; and for the rehabilitation or restoration of such open space, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings, or construction of new buildings on previously developed sites;

SECOND AMENDMENT TO MOTION: VOTED UNANIMOUSLY.
MAIN MOTION as AMENDED: VOTED UNANIMOUSLY.

ARTICLE 56 (as amended): To see if the Town will vote to amend Chapter 9 of the Code of the Town of Southborough by inserting a new Article IV, which shall establish a Community Preservation Committee as follows:

§ 9-1 Establishment
§ 9-2 Duties
§ 9-3 Requirements for a quorum and cost estimates
§ 9-4 Amendments
§ 9-5 Severability

Section 1. Establishment

There is hereby established a Community Preservation Committee consisting of nine (9) voting members pursuant to Massachusetts General Laws, Chapter 44B. The Committee shall be appointed by the Board of Selectmen and shall consist of the following members:

One member of the Historical Commission as designated by the Commission for an initial term of three years and thereafter for a term of three years.

One member of the Housing Authority as designated by the Authority for an initial term of one year and thereafter for a term of three years.

One member of the Conservation Commission as designated by the Commission for an initial term of two years and thereafter for a term of three years.

One member of the Planning Board as designated by the Board for an initial term of two years and thereafter for a term of three years.

One member of the Recreation Commission as designated by the Commission for an initial term of one year and thereafter for a term of three years.

One member of the Open Space Preservation Commission as designated by the Commission for an initial term of three years and thereafter for a term of three years.

One member of the Southborough Housing Opportunity Partnership Committee (SHOPC) as designated by the Commission for a term of three years.

Two members At Large to be appointed by the Board of Selectmen, for an initial term of one year and thereafter for a term of three years.

After the initial appointments, terms will begin on July 1 of each year.

Members At Large may not also be members of the Historical Commission, Housing Authority, Conservation Commission, Planning Board, Open Space Preservation Commission, Southborough Housing Opportunity Partnership Committee, Recreation Commission or the Board of Selectmen.

Should any commission, authority or board designating a member for the Community Preservation Committee cease to exist for whatever reason the Board of Selectmen will determine the appropriate alternative designating commission, authority or board, subject to any applicable state statute.

Section 2. Duties

1) The Community Preservation Committee shall study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with existing town boards, including the Historical Commission, Housing Authority, Conservation Commission, Planning Board, Recreation Commission, Open Space Preservation Commission and the Board of Selectmen, in conducting such studies. As part of its study the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

2) The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, rehabilitation, restoration and preservations of historic resources; for the acquisition, creation and preservation of land for recreational use; for the creation, preservation support of community housing; and for the rehabilitation or restoration of such open space, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings, or construction of new buildings on previously developed sites;

3) The Community Preservation Committee may include in its recommendations to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation, but for which sufficient funds are not then available in the Community Preservation Fund to accomplish that specific purpose, or to set aside for later spending funds for general purposes that are consistent with community preservation.

Section 3. Requirements for a quorum and cost estimates

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Community Preservation Committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include their anticipated costs.

Section 4. Amendments

This By-law may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not be in conflict with Chapter 44B of the Massachusetts General Laws.

Section 5. Severability

In case any section, paragraph or part of this By-law be for any reason declared invalid or unconstitutional by any court of competent jurisdiction, it is intended that every other section, paragraph or part shall continue in full force and effect.

ARTICLE 57: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Article VI, Administration, Section 174-25, Board of Appeals, Paragraph A.(3) by striking therefrom the words "including use variances" so that said section will read: "The Board of Appeals shall have the power to grant, upon appeal or upon petition, variances from the terms of this chapter where the Board finds that, due to circumstances relating to soil conditions, topography or shape of land or structures and especially affecting such land or structures but not affecting generally the zoning district in which they are located, literal enforcement of this chapter would involve substantial hardship to the appellant or petitioner and that the desired relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this chapter. The Board of Appeals may impose conditions, limitations and safeguards not based on the continued ownership by the applicant, petitioner or any owner. If the rights authorized by a variance are not exercised within one (1) year from the date of grant thereof, they shall lapse, and a new petition, notice and hearing will be required for their reestablishment." And further, by inserting at the end of subsection 3 the following: **"No variance may authorize a use, with the exception of septic systems, or activity not otherwise permitted in the district in which the land or structure is located.", or do or act anything in relation thereto.** (Proposed by the Planning Board)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Article VI, Administration, Section 174-25, Board of Appeals, Paragraph A.(3) as printed in the Warrant.
REQUIRES 2/3 VOTE.

VOTE **72 YES**
39 NO

MOTION DEFEATED.

MOTION TO DISSOLVE ANNUAL TOWN MEETING at 11:27pm PASSED UNANIMOUSLY.

True Copy
Attest:

Paul J. Berry, Town Clerk

Town of Southborough
ANNUAL TOWN MEETING
April 11, 2005

At the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 11, 2005 at 7:00PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 487 voters were present.

Checkers:

Brenda Gaffney	**Lidia A. Kiley**
Janet M.E. Mattioli	**Linda C. Hubley**
Lois W. Denman	**Delia Mulvaney**

The following were appointed by Moderator John Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:

Carol Long	**John J. Walsh**
Howard Anderson	**Steve Theran**
William J. Boland	**Jeff Cullen**

The Town Moderator, John H. Wilson, called the meeting to order at 7:45pm.

The Colors were presented by Junior Girl Scout Troop 2778.

Rebecca Jette
Carly O'Connell
Kaitlin Monroe
Jamie Hayes
Brittany Bowker
Leaders: Danielle O'Connell and Megan Jette

A moment of silence was held in memory of those persons who have served the Town in the past:

Katherine O. Allen
Catherine D. Alsterlund
Mary T. Carr
Josephine E. Colleary
Sarah L'Heureux
Mary A. McCann
Rita J. McCarthy
A. Jean McCaw
Frederick J. Quinn, Sr.

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting. There being no objections from the floor, it was voted to allow the above non-voters to remain:

Brian Ballantine, Treasurer/Collector
Paul T. Cibelli, Principal Assessor
Clare Curran, Library Director
Basilio Diaz, Facilities Manager
Joan Frank, Chairperson, Regional School Committee
Kathryn Garcia, Director of Recreation
Vanessa D. Hale, Assistant Town Administrator
Peter Johnson, Building Inspector
Vera L. Kolias, Town Planner
Dan Landesman, Recreation
Pam LeFrancois, Senior Center Director
Shirley Lundberg, Member, Regional School Committee
Keith Lavoie, Assistant Principal, Trottier
John D. Mauro, Jr., Fire Chief
Robert E. Melican, Superintendent of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Paul C. Pisinski, Public Health Director
Christopher Shanahan, Fire Department
Laurie Sugarman-Whittier, Director of Youth and Family Services
Hillary Brigandi, SEIU
Cindi Krawczyk, SEIU
Beth Rosenblum, SEIU
Shanna Weston, SEIU
Paul Zarella, Briarwood Company
Ken Franks, Fire Union President
Lisa Gentes, MetroWest Daily News
Photographer for MetroWest Daily News
D. Moschos, Special Counsel to Town

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Town of Southborough
ANNUAL TOWN MEETING
April 11, 2005

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Annual Town Meeting by the Constable.

MOTION MADE: To waive the reading of the entire Warrant.
MOTION CARRIES UNANIMOUSLY.

At 8:05 it was voted unanimously to temporarily adjourn the Annual Town Meeting until the completion of Special Town Meeting.

True Copy
Attest:

Paul J. Berry, Town Clerk

Town of Southborough
SPECIAL TOWN MEETING
Monday, April 11, 2005

At the Special Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 11, 2005 at 8:05pm the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 487 voters were present.

Checkers:

Alice Brenda Gaffney
Janet M.E. Mattioli
Lois W. Denman
Lidia A. Kiley
Linda C. Hubley
Delia Mulvaney

The following were appointed by Moderator John Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:

Carol Long
Howard Anderson
William J. Boland
John J. Walsh
Steve Theran
Jeff Cullen

The Town Moderator, John H. Wilson, called the meeting to order at 8:05 p.m.

Moderator Wilson had requests from the following non-voters to attend the Special Town Meeting. There being no objections from the floor, it was voted to allow the non-voters to remain.

Brian Ballantine, Treasurer/Collector
Paul T. Cibelli, Principal Assessor
Clare Curran, Library Director
Basilio Diaz, Facilities Manager
Joan Frank, Chairperson, Regional School Committee
Kathryn Garcia, Director of Recreation
Vanessa D. Hale, Assistant Town Administrator
Peter Johnson, Building Inspector
Vera L. Kolias, Town Planner
Dan Landesman, Recreation
Pam LeFrancois, Senior Center Director
Shirley Lundberg, Member, Regional School Committee
Keith Lavoie, Assistant Principal, Trottier
John D. Mauro, Jr., Fire Chief
Robert E. Melican, Superintendent of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Paul C. Pisinski, Public Health Director
Christopher Shanahan, Fire Department
Laurie Sugarman-Whittier, Director of Youth and Family Services
Hillary Brigandi, SEIU
Cindi Krawczyk, SEIU
Beth Rosenblum, SEIU
Shanna Weston, SEIU
Paul Zarella, Briarwood Company
Ken Franks, Fire Union President
Lisa Gentes, MetroWest Daily News
Photographer for MetroWest Daily News
D. Moschos, Special Counsel

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

It was voted unanimously to waive the reading of the Special Town Meeting Warrant.

ARTICLE 1: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate a sum of money to add to the department budgets that have SEIU bargaining unit employees for Fiscal Year 2005 for the purpose of funding the new collective bargaining agreement [2004-2007] between the Town and the Service Employees International Union, Local 888, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of one dollar to add to the department budgets that have SEIU bargaining unit employees for Fiscal Year 2005 for the purpose of funding the new collective bargaining agreement [2004-2007] between the Town and the Service Employees International Union, Local 888.
MOTION VOTED UNANIMOUSLY.

ARTICLE 2: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate a sum of money to add to the Department of Public Works budget for Fiscal Year 2005 for the purpose of funding the proposed collective bargaining agreement [2004-2007] between the Town and the American Federation of State, County and Municipal Employees, Council 93, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of one dollar to add to the Department of Public Works budget for Fiscal Year 2005 for the purpose of funding the proposed collective bargaining agreement [2004-2007] between the Town and the American Federation of State, County and Municipal Employees, Counsel 93.
MOTION VOTED UNANIMOUSLY.

ARTICLE 3: To see if the Town will vote to accept the provisions of Chapter 491 of the Acts of 2004, Mass. General Laws Chapter 44, §55C establishing a trust to be known as the Southborough Affordable Housing Trust Fund whose purpose shall be to provide for the creation and preservation of affordable housing in the Town of Southborough for the benefit of low and moderate income households, or do or act anything in relation thereto. (Proposed by SHOPC)

MOTION MADE: to discuss Articles 3, 4 and 5 together VOTED UNANIMOUSLY.

MOTION MADE: That the Town vote to accept the provisions of Chapter 491 of the Acts of 2004, Mass. General Laws Chapter 44, §55C establishing a trust to be known as the Southborough Affordable Housing Trust Fund whose purpose shall be to provide for the creation and preservation of affordable housing in the Town of Southborough for the benefit of low and moderate income households.
MOTION PASSED BY MAJORITY VOTE.

ARTICLE 4: To see if the Town will vote to implement Chapter 491 of the Acts of 2004, General Laws Chapter 44, §55C, to amend Chapter 6 of the Code of the Town of Southborough by inserting a new article as follows:

Article V Southborough Affordable Housing Trust Fund

§ 6-13 Establishment
There shall be a board of trustees of the Southborough Affordable Housing Trust Fund established by the Vote under Article 4 of the Warrant for the 2005 Special Town Meeting vote under Article 4 of the Warrant for the 2005 Special Town Meeting, in this section called the Board, which shall include seven (7) trustees, including all of the members of the Board of Selectmen, with the remaining members to be appointed by the Board of Selectmen. Trustees shall serve a term not to exceed two years.

§ 6-14 Purpose
The powers of the Board, all of which shall be carried on in furtherance of the purposes set forth in General Laws Chapter 44, § 55C, shall include, but are not limited to, the following:

(1) to accept and receive property, whether real or personal, by gift, grant, devise, or transfer from any person, firm, corporation or other public or private entity, including without limitation grants of funds or other property tendered to the trust in connection with provisions of any zoning ordinance or by-law or any other ordinance or by-law;

(2) to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;

(3) to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the board deems advisable notwithstanding the length of any such lease or contract;

(4) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust;

(5) to employ advisors and agents, such as accountants, appraisers and lawyers as the board deems necessary;

(6) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the board deems advisable;

(7) to apportion receipts and charges between incomes and principal as the board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;

(8) to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;

(9) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the board may deem proper and to pay, out of trust property, such portion of expenses and compensation of such committee as the board may deem necessary and appropriate;

(10) to carry property for accounting purposes other than acquisition date values;

(11) to borrow money on such terms and conditions and from such sources as the board deems advisable, to mortgage and pledge trust assets as collateral;

(12) to make distributions or divisions of principal in kind;

(13) to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the board may deem appropriate;

(14) to manage or improve real property; and to abandon any property which the board determined not to be worth retaining;

(15) to hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate; and

(16) to extend the time for payment of any obligation to the trust.

, or do or act anything in relation thereto. (Proposed by SHOPC)

MOTION MADE: That the Town vote to implement Chapter 491 of the Acts of 2004, General Laws Chapter 44, §55C, to amend Chapter 6 of the Code of the Town of Southborough by inserting a new article as printed in the Warrant.
MOTION CARRIES by MAJORITY VOTE.

ARTICLE 5: To see if the Town will vote to transfer a sum of money from the Affordable Housing Donation Account into the Southborough Affordable Housing Trust Fund, or do or act anything in relation thereto. (Proposed by SHOPC)

MOTION MADE: That the Town vote to transfer the sum of $175,000 from the Affordable Housing Donation Account into the Southborough Affordable Housing Trust Fund.
MOTION CARRIES by MAJORITY VOTE.

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money for constructing, originally equipping and furnishing an addition or additions to the P. Brent Trottier Middle School, including the payment of all costs incidental and related thereto, for remodeling, reconstructing or making extraordinary repairs to the present P. Brent Trottier Middle School, including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Albert S. Woodward School, including the payment of all costs incidental and related thereto for remodeling, reconstructing or making extraordinary repairs to the present Albert S. Woodward School, including costs incidental and related thereto, or do or act anything in relation thereto. (Proposed by the Southborough School Building Committee)

MOTION MADE: That the Town vote to transfer from the Stabilization fund the sum of $355,000 for constructing, originally equipping and furnishing an addition or additions to the P.Brent Trottier Middle School, including the payment of all costs incidental and related thereto, for remodeling, reconstructing or making extraordinary repairs to the present P. Brent Trottier Middle School, including the payment of all costs incidental and related thereto, for constructing, originally equipping and furnishing an addition or additions to the Albert S. Woodward School, including the payment of all costs incidental and related thereto for remodeling, reconstructing or making extraordinary repairs to the present Albert S. Woodward School, including costs incidental and related thereto.
(Requires 2/3 vote)
MOTION CARRIES: YES: 55 NO: 4

MOTION MADE: To dissolve **SPECIAL TOWN MEETING.**
MOTION VOTED UNANIMOUSLY.

At 8:25pm it was unanimously voted to dissolve the SPECIAL TOWN MEETING.

Town of Southborough
ANNUAL TOWN MEETING
Adjourned Session Monday, April 11, 2005

MOTION MADE: To resume **ANNUAL TOWN MEETING.**
MOTION VOTED UNANIMOUSLY.

At 8:26pm the Town Moderator resumed Annual Town Meeting.

At this time Town Moderator, John Wilson asked Bob Melican, Superintendent of Schools to be honored for 36 years of service to the Town and schools as District Administrator and Superintendent of Schools. A standing ovation was given to Mr. Melican.

Minutes later, Town Moderator John Wilson asked Dr. Timothy Stone to stand. On the Board of Health for 58 years, "Doc Stone" ran for office 19 times successfully. He served in WW II; three years in Italy with his medical bag and rifle. Mr. Wilson stated he is proud to call him a friend and neighbor. He thanked him for his many years of voluntary service to the town. Doc Stone then received a standing ovation from the voters and town employees in attendance.

ARTICLE 1: To hear reports of the various Town Officers and Committees and to take such action thereon as the Town may vote. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town hear reports of the various Town Officers and Committees.
Presentation by Marty Healy of Advisory Committee.
Presentation by Jack Kessler or the Southborough School Committee.
Presentation by Brian Shea of Municipal Facilities Committee.
MOTION VOTED UNANIMOUSLY.

ARTICLE 2: To see if the Town will vote to accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted.
MOTION PASSED by MAJORITY VOTE.

ARTICLE 3: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2005 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17 as amended, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2005 in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 17, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.

AMENDMENT to MOTION: To Delete "Section 17" and insert "Section 4."
AMENDMENT TO MOTION VOTED UNANIMOUSLY.

MOTION: That the Town authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2005 in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 4.
MOTION WITH AMENDMENT VOTED UNANIMOUSLY.

ARTICLE 4: To hear the report of the Capital Budget Planning Committee, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town hear the report of the Capital Budget Planning Committee.
MOTION VOTED UNANIMOUSLY.

ARTICLE 5: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate a sum of money to add to the department budgets that have SEIU collective bargaining unit employees for Fiscal Year 2006 for the purpose of funding the collective bargaining agreement costs for FY2006 between the Town and the Service Employees International Union, Local 888 and reduce the Employee Benefits budget by a sum of money, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $73,234 for the purpose of funding the collective bargaining agreement between the Town of Southborough and Service Employees International Union, Local 888 for Fiscal Year 2006 and reduce the Employee Benefits budget by the sum of $24,069.
MOTION VOTED UNANIMOUSLY.

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate a sum of money to add to the Department of Public Works budget for Fiscal Year 2006 for the purpose of funding the collective bargaining agreement costs for FY2006 between the Town and the American Federation of State, County and Municipal Employees, Council 93 and reduce the Employee Benefits budget by a sum of money, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $62,511 for the purpose of funding the collective bargaining agreement between the Town of Southborough and American Federation of State, County and Municipal Employees, Council 93 for Fiscal Year 2006 and reduce the Employee Benefits budget by the sum of $17,000.
MOTION VOTED UNANIMOUSLY.

ARTICLE 7: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate the sum of $32,000 to purchase a tractor with backhoe, or do or act anything in relation thereto. (Proposed by the Facilities Department)

MOTION MADE: That the Town raise and appropriate the sum of $32,000 to purchase a tractor with backhoe.
MOTION VOTED UNANIMOUSLY.

ARTICLE 8: To see if the Town will accept the provisions of Sections 1, 2 and 3 of Chapter 137 of the Acts of 2003 which was enacted by the Senate and House of Representatives in General Court Assembled, and by authority of the same, as follows:

Section 1. Not withstanding any general or special law to the contrary, an employee in the service of the commonwealth or a county, city or town that accepts this section as provided in this section, including an employee of a school district, who has been granted a military leave of absence because the employee is a member of the army national guard, the air national guard or a reserve component of the armed forces of the United States called to active service in the armed forces of the United States after September 11, 2001, shall be entitled to receive pay at his regular base salary as such a public employee, and shall not lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime. An employee eligible under this section shall be paid his regular base salary as such a public employee for each pay period of such military leave of absence after September 11, 2001, reduced by any amount received from the United States as pay or allowance for military service performed during the same pay period, excluding overtime pay, shift differential pay, hazardous duty pay or any other additional compensation. For the purposes of this section, the "active service" shall not include active duty for training in the army national guard or air national guard or as a reservist in the armed forces of the United States. This section shall take effect in a county, city or town upon its acceptance in a county, by vote of the county commissioners; in a city or town, as provided in section 4 of chapter 4 of the General Laws; and in a regional school district, by vote of the school committee. Nothing in this section shall limit or reduce a person's entitlement to benefits under section 59 of chapter 33 of the General Laws, and nothing in this section shall entitle a person to benefits in excess of the maximum benefit provided under said section 59 of said chapter 33 for any period during which that person is receiving benefits under this section.

Section 2. Notwithstanding any general or special law to the contrary, state agencies and municipal governments may expend in the current fiscal year associated costs incurred in prior fiscal years pursuant to this act.
, or do or act anything in relation thereto. (Proposed by the Director of Veterans Services)

MOTION MADE: That the Town accept the provisions of Sections 1, 2 and 3 of Chapter 137 of the Acts of 2003 which was enacted by the Senate and House of Representatives in General Court Assembled, and by authority of the same as printed in the warrant.

MOTION MADE: To table **Article 8** to the first order of business at the Adjourned Annual Town Meeting on April 12, 2005.
(Requires 2/3 vote)
MOTION VOTED UNANIMOUSLY.

MOTION MADE: To bring Articles 34, 35 and 36 forward before Article 9 so that voters can go home early to relieve their babysitters.
(2/3 VOTE REQUIRED)
MOTION DISSALLOWED BY MODERATOR.

ARTICLE 9: To see if the Town will vote to delete the Personnel Salary Administration Plan, as specified in Chapter 31 of the Code of the Town of Southborough, entitled: PERSONNEL, and insert in its place the following:

SALARY ADMINISTRATION PLAN AND PERSONNEL BY-LAWS OF THE TOWN OF SOUTHBOROUGH

PREAMBLE

This by-law establishes a Salary Administration Plan for the Town of Southborough, which classifies the several position classifications in the Town services into groups, establishes salary schedules, establishes employee benefits and establishes a Personnel Board to administer the by-law and to represent the interest of both the taxpayers and the Town employees covered by the by-law.

The positions of all officers and employees in the service of the Town, whether full-time, part-time, temporary, seasonal, special, casual Civil Service or any other, other than those positions filled by popular election, those under the direction and control of the School Committee, and those encompassed in any officially recognized labor union and/or association, are hereby classified by titles in the groups listed in Schedule A, entitled "Classification Schedule," as set forth in Section 21 of the by-law.

The classification of positions which are subject to the Welfare Compensation Plan of the Commonwealth of Massachusetts and the scheduled rates therefore effective July 1, 1966 with subsequent amendments, if any, and the applicable provisions of the Massachusetts General Laws relating to the application of rates set forth in the aforementioned Welfare Compensation Plan are hereby incorporated by reference.

SECTION 1. DEFINITIONS AND TERMS

As used in this by-law, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context or by the laws of the Commonwealth:

"Administrative Authority," the elected or appointed official or board having jurisdiction over a function or activity.

"Anniversary Year," is that year commencing on the first day of employment and terminating 365 days thereafter.

"Base Pay," is the compensation paid for the purposes of determining retirement credits and contributions for Town employees by the Town of Southborough.

The Town shall contribute funds as required for each eligible employee in accordance with the procedures and formula established by the Worcester Regional Retirement System and the by-laws of the Town of Southborough.

Contributions shall be made by the Town for:

1. Wages earned during the first eight (8) hours worked in any one day. No contributions shall be made for hours worked in excess of 40 hours per week.
2. Any lump sum bonus that is guaranteed as outlined in the Salary Administration Plan and the Personnel By-Laws of the Town and any collective bargaining agreement in force. Examples of lump sum bonuses are longevity pay and educational bonuses.
3. Vacation pay except when paid in lieu of taking vacation.
4. Sick pay.
5. Holiday pay.

"Casual Position," a position calling for part-time employment, which service does not constitute continuous service; this service is rendered occasionally and without regularity according to the demand therefore.

"Civil Service Law," Chapter 31 of the General Laws of the Commonwealth as amended and all rules and regulations made thereunder; and any special law enacted by the General Court regulating the classification compensation and conditions of employment of officers and employees of the Town under Chapter 31.

"Class," a group of positions in the Town service sufficiently similar in respect to duties and responsibilities so that the same descriptive title may be used to designate each position allocated to the class, that the same qualifications shall be required of the incumbents, that the same tests of fitness may be used to choose qualified employees and that the same scale of compensation can be made to apply with equity.

"Classification Schedule," the titles in Schedule A, B, C, D, E and F of Section 21 of this by-law.

"Compensation Grade," a range of salary/wage rates appearing in Schedules A, B, C, D, E & F.

"Continuous Full-Time Service," employment requiring a predetermined minimum work period and uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Continuous Employment," full-time or part-time employment uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Department," a functional unit of Town government composed of one or more employees.

"Department Head," the person appointed to be responsible for carrying out the duties of a Department.

"Exempt Employee," Any employees who are paid a weekly salary.

"Employee," an employee retained in full-time employment.

"Full-Time Employment," employment for not less than 20 hours per week for fifty-two weeks per annum, minus legal holidays and authorized vacation leave, sick leave, bereavement leave, and other leaves of absence.

"Group," a group of classes appearing in Schedules A, B, C, D and E of Section 21.

"Increment," the dollar or percentage difference between step rates.

"Maximum Rate," the highest rate in a range which an Employee normally is entitled to attain.

"Minimum Rate," the rate in a range which is normally the hiring rate of a new employee.

"Non-exempt Employee," Any employees who are paid an hourly wage.

"Part-Time Employee," an employee working in part-time employment.

"Part-Time Employment," employment for less than Full-Time Employment, as defined above.

[Personal Rate deleted]

"Position," an office or post of employment in the Town service with duties and responsibilities calling for the Full-Time or Part-Time employment of one person in the performance and exercise thereof, or more than one person sharing the same position.

"Position Class," same as "Class," (a class may include only one position, in which event it is defined as a "single position class").

"Promotion," a change from a position of lower class and compensation grade to a position with greater responsibilities in a higher class and compensation grade.

"Range," the dollar difference between minimum and maximum rates of the assigned grade.

"Rate," a sum of money designated as compensation for personal services on an hourly, weekly, monthly, annual or other basis.

"Salary Schedule," Schedule B of Section 21.

"Single Rate," a rate for specific position class which is not in a designated range.

"Special Position," a position calling for Part-Time employment which, although constituting continuous employment, is not rendered during prescribed working hours, daily, weekly, or annually, but is rendered as required according to the demands for such service.

"Step Rate," rate in a range of compensation grade.

"Temporary Employee," (1) an employee retained in a temporary position as defined herein; (2) any employee holding a temporary appointment under Civil Service Law who does not also have permanent status thereunder.

"Temporary Position," or "Seasonal Position," any position in the Town service which requires or is likely to require the service of one incumbent for a period not exceeding six calendar months, either on a Full-Time or Part-Time basis.

"Town," the Town of Southborough.

SECTION 2. TITLES OF POSITIONS

No persons shall be appointed, employed or paid as an employee in any position subject to the provisions of the Salary Administration Plan and Personnel By-Laws under any title other than those of the Classification Schedule, or under any title other than that of the job, the duties of which are actually performed. The job title in the Classification Schedule of the Plan shall be the official title for all purposes having to do with the position and shall be used to designate the position in all payrolls, budget estimates and official reports, and in every other connection involving personnel and fiscal processes.

SECTION 3. NEW OR CHANGED POSITIONS

Before a new position is established, or the duties of an existing position are so changed that a new level or work demand exists and in effect a new position is created, upon presentation of substantiating data satisfactory to the Personnel Board, the Board shall rate such new changed position and allocate it to its appropriate classification grade and establish the rate change therefore.

SECTION 4. RECLASSIFICATION OF EMPLOYEES

No position may be reclassified to a classification in another grade, either higher or lower, until the Personnel Board shall have determined such a reclassification will be consistent with the provisions of the Salary Administration Plan and Personnel By-Laws.

SECTION 5. JOB DESCRIPTIONS AND INTERPRETATIONS

The Personnel Board shall maintain written job descriptions of the position classes in the Classification Schedule of the Plan, each consisting of a statement describing the essential nature of the work and characteristics that distinguish the class from other classes. Department Heads shall be required to retain current job descriptions and to submit revisions to the Personnel Board after review by the Board of Selectmen or their designated appointee or the appropriate Commissioners or Trustees. The description for any class shall not limit what the duties or responsibilities of any position shall be, or to modify or in any way affect the power of any administrative authority to appoint, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

SECTION 6. COMPENSATION

a. The weekly pay period shall begin at 12:01 a.m. Thursday and shall end at 12:00 a.m. the following Wednesday.

b. Non-exempt employees subject to this Salary Administration Plan shall be paid time and one-half hours worked in the excess of eight (8) in a calendar day and/or 40 hours in one calendar week, provided such hours of work have been authorized by the Department Head.

In addition, all service outside of a non-exempt employee's regularly scheduled tour of duty shall be at the overtime rate. Any employee who is recalled to duty hereunder shall be paid at the overtime rate for all such time and shall be guaranteed a minimum of two (2) hours overtime recall pay.

c. The Salary Schedule of the Salary Administration Plan and Personnel By-Laws set forth as Schedules A, B, C, D, E and F of Section 21 of this by-law, shall consist of the maximum and minimum salaries, in the Classification Schedule. The salary grade shall be the salary range for all position classes allocated to that grade.

d. Amounts paid to employees in reimbursement for expenses incurred in the performance of their duties such as mileage, meals, lodging, dues or similar job-related expenses shall be paid in addition to their compensation. All such payments shall be made as other charges and expenses to the extent budgeted by each department, board or commission. The rate of reimbursement shall be based upon the actual documented expenditure made by the employee, or at rates established by the Internal Revenue Service, supported by that agency's requirements for documentation.

SECTION 7. ADJUSTMENT POLICIES

a. Every employee subject to this plan and who is in continuous Full-Time service of the Town, computed from the date of his/her latest employment, shall be eligible annually for consideration of a merit increase advance to the next higher step rate, one year from the date of his/her latest increase. Such increase is not to exceed one step rate in any single twelve month period until the maximum of the grade is obtained, subject to the approval of the Department Head, and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and the Personnel Board. An evaluation of the employee's performance, in format approved by the Personnel Board, must accompany a letter requesting a merit increase. The Employee shall appear before the Personnel Board prior to it acting on any request for a merit increase. Any employee denied such an increase has the right to appeal, in writing to the Personnel Board, which shall confer with the employee, the Department Head and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or

Trustees, and shall decide the matter. The Personnel Board shall approve all adjustments, in advance.

b. Regular Part-Time employees in Schedule C shall be eligible for consideration for merit increases within their grade (between 0 and 4%) one year from the date of their last increase. Special, casual and other Part-Time personnel for whose positions there is a single rate established in Schedule D of Section 21, shall not be eligible for step rate increases.

SECTION 8. TRANSFERS AND PROMOTIONS

a. An employee who is promoted to a job with a higher rate range, or rate of pay shall enter it at the rate recommended by the Department Head with the approval of the Personnel Board, but in no event at a rate in excess of the maximum for such job. The employee may also receive at the time a one step rate increase, provided the maximum for the job is not exceeded, if the Department Head recommends that qualifications and performance warrant it and the Personnel Board approves. If the Department Head feels that there should be a trial period before recommending the promotional one step rate increase, on recommendation of the Department Head, the Personnel Board may approve such a deferred promotional increase at the conclusion of the trial period, not to exceed three (3) months.

b. An employee transferred to a job with a lower rate range, or rate of pay, shall enter it at the rate paid for the previous position or at the maximum rate for the job, whichever is the lower, provided the Personnel Board approves. The employee shall have a right to appeal to the Personnel Board and to be heard thereon, and the Personnel Board shall decide the matter.

SECTION 9. NEW PERSONNEL

a. Physical examinations are required of all employees before being hired consistent with the Town's policies.

b. The hiring rate shall be the minimum of the rate range of the job for which the new employee is hired, unless otherwise authorized by the Personnel Board. Department Heads shall notify the Personnel Board of the hiring of all personnel and their hiring rates.

c. For new regular Full-Time and new regular Part-Time personnel for whose positions there is a rate range and step rates, the first six months of employment shall be a probationary period at the end of which the employee may advance one step rate, provided that the Department Head and the Personnel Board decide the employee's performance warrants it. The employee shall thereafter be reviewed for a step rate increase one year from the date of the employee's latest increase. This probationary step rate increase shall apply only at the start of employment and shall not apply in case of transfer or promotion from one job to another.

d. During a new employee's probationary period the employee will earn vacation, sick and personal time in accordance with the schedules set forth in Section 11 b (1) and c (4).

SECTION 10. DEPARTMENT BUDGETS

Each Department Head shall include in the annual budget a pay adjustment section to provide funds for anticipated pay adjustment during the ensuing year, expenditures to be made therefrom only in accordance with the Salary Administration Plan and Personnel By-Laws with the approval of the Personnel Board.

SECTION 11. EMPLOYEE BENEFITS

Employee benefits, such as holiday and vacation with pay, sick leave and other such matters, are a cost item to the Town and a form of "indirect pay," and included in the coverage of the Salary Administration Plan and Personnel By-Laws, both those included in the Plan at its adoption and any other which may be included in the future.

a. Holidays with Pay

Each eligible Employee shall receive one day's pay at their regular straight time rate for the following holidays:

New Year's Day
Martin Luther King's Birthday
Presidents' Day
Patriot's Day
Memorial Day
Independence Day

Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving Day
Christmas Day
Day before or after Christmas Day

To be eligible for holiday pay, an Employee must work both their regular scheduled day preceding and their regular scheduled day following the holiday, or be excused from work pursuant to the provisions for absences with pay listed in the next Section.

An Employee whose regular day off falls on a holiday may elect to have one day off with pay in the following week in lieu of holiday pay, providing the choice of day is approved by the Department Head.

Details as to administrative policies and practices relative to holidays with pay shall be prepared and established under the direction of the Personnel Board.

b. Vacations with Pay

(1) Regular Full-Time Employees who have been in the continuous employ of the Town, as such, shall be paid their regular week's pay or portion thereof as vacation pay in accordance with the following schedule:

Employed for	Hours Earned per month
0-5 years	6.666 hours per month
5-10 years	10.0 hours per month
10-15 years	13.333 hours per month
15 or more years	**16.666 hours per month**

(2) New employees entering into a position with the Town of Southborough from a similar position in another municipality or similar government agency, will, at the recommendation of the hiring authority, and the approval of the Personnel Board, be allowed to enter into the vacation schedule using their years of service from their prior employment. The probationary period would still apply and no more than three weeks vacation could be used within the first year of employment with the Town of Southborough.

(3) Vacations shall be granted by Department Heads at such time as, in their opinion, will cause the least interference with the performance of the regular work of the Departments. An Employee shall be permitted to carry over up to one year's earned vacation. The Employee must have the Department Head's approval to take any portion of a prior year's unused vacation in addition to the days earned in the current fiscal year.

(4) Vacation accrual shall be increased based on the above schedule, and shall be effective on the anniversary of the employee's date of hire.

(5) If, in the opinion of the Department Head, there are unusual circumstances that warrant it, an Employee may, upon request, continue at work and receive vacation pay in lieu of taking vacation.

(6) In the event of termination of employment, which is caused through no fault of the Employee, or by reason of retirement, the Employee shall be paid, or be entitled to time off with pay, for any accumulated vacation time prorated on the basis of service since the Employee's preceding vacation. In the event of the death of any Employee, any accumulated vacation pay shall be paid to the Employee's estate.

(7) Vacation administrative policies and practices shall be prepared and established under the direction of the Personnel Board.

c. Sick Leave

(1) All regular Full-Time Employees shall be entitled to fifteen (15) days sick leave per year. Unused sick leave may be accumulated without limitation. Pay for each day of sick leave shall be at the rate of a regular day's pay. Absences on account of sickness in excess of that authorized may, at the discretion of the Department Head and the Personnel Board, be charged to vacation leave. Sick leave shall be payable only in cases of bona fide illness, non-work-connected accident, or work-connected accidents not covered by Massachusetts General Laws annotated Chapter 152 (Workers' Compensation). At retirement, the Town will pay the Employee twenty (20%) of the Employee's then-accumulated sick leave.

(2) Employees who because of sickness or a non-work-connected accident are absent for a period of more than three (3) days shall be required to present a doctor's certificate to their Department Head stating reason and period of time the Employee will be absent from work. The above section is not to be construed by an Employee or Department Head for time off for any sickness caused by over-indulgence in alcohol or narcotics or by his or her misconduct.

(3) An Employee may use up to seven (7) of the allowed fifteen (15) days of sick leave for the care of a sick family member who, in the opinion of the Department Head, is closely associated with the Employee.

(4) Details as to sick leave administrative policies and practices shall be as prepared and established under the direction of the Personnel Board. Each employee under this plan shall accrue 10 sick hours per month, equaling 120 hours annually (15 sick days); part-time employees will be compensated by a formula based on hours worked per week.

d. Personal Days

Each Employee shall be entitled to three (3) personal days per year. A Department Head may honor the request for a personal day made by any member of their Department who may have a normally accepted need for a personal day. However, in no event shall personal days for any one Employee exceed three days per year nor shall personal days accumulate from year to year. Personal days shall be granted annually on an employee's anniversary date. New employees shall be granted three (3) personal days when they commence employment.

e. Workers' Compensation

Workers' compensation benefits shall be paid in accordance with the Town's Worker's Compensation Plan.

f. Military Leave

An employee in Full-Time employment in the military reserve shall be paid the difference between compensation received while on reserve duty and regular compensation rates paid to that employee by the Town. Such payment by the Town shall be limited to a period not to exceed two weeks in any twelve-month period and shall not include payment to members of the National Guard who may be mobilized during an emergency in the Commonwealth.

g. Jury Duty

Any employee who is called to jury duty shall receive an amount equal to the difference between their normal compensation and the amount (excluding any travel allowance) received from the court, upon presentation of evidence of the amount paid by the court.

h. Miscellaneous Paid Time Off

Working time lost from regularly scheduled work days for reasons listed below shall be without loss of pay, provided such lost time is with authorization of the Department Head:

(1) Bereavement leave - In the event of the death of a spouse, father, mother, children, father-in-law, mother-in-law, brother or sister, grandparent or of any person residing with the family of an employee, such employee shall be entitled to receive three (3) days leave for the purpose of the funeral arrangements and burial of said deceased. In the event that travel is required out of state, the Department Head in his or her discretion may authorize two (2) additional days of travel time.
(2) Inoculation required by Municipal Employer.
(3) Red Cross blood donation authorized by the Department.
(4) Medical examinations required by employer.
(5) Attendance at educational programs required or authorized by Town or Department.

i. Court Time Pay

Any employee who normally is on duty at night, or is on vacation, furlough or day off, who is required to attend Court as a witness or in any other capacity arising from the performance of his/her duty or in behalf of the Commonwealth or the Town in any civil or criminal case pending in any Court or before any official governmental board or agency shall be entitled to overtime compensation for every hour or fraction thereof during which they attend or appear, but in no event less than three (3) hours of such overtime pay.

j. Employee Educational Support

(1) Degree Incentives

All Full-Time employees subject to the provisions of the Salary Administration Plan and Personnel By-Laws who have earned credits leading to a degree while an employee of the Town in a field applicable to their position in a degree granting program from an accredited college or university, shall receive a one-time bonus, according to the following schedule:

Associates Degree	$ 800.00
Bachelors Degree	$1,200.00
Masters Degree	$1,500.00

A copy of the completed transcript or diploma or other appropriate evidence of the completed degree must be presented to the Department Head and a copy to the Board of Selectmen who shall maintain complete and ongoing records for participants.

(2) Tuition Reimbursement

The Town will provide tuition reimbursement to any full time employee, provided that the course is accredited and pertains to the employee's specific job or position. Such information shall be presented to the Department Head, in writing, prior to enrollment in the course.

(3) Approval

The employee must meet the following conditions to obtain the commitment of Town funds prior to registration by the employee:

(a) Obtain the approval of either:

(i) The Department Head and the Board of Selectmen or their designated appointee, or

(ii) The appropriate Commissioners or Trustees and the Personnel Board,

(b) The employee assumes responsibility for payment; and

(c) An approved purchase order is issued prior to registration by the employee's Department Head.

(4) With respect to Tuition reimbursement, the employee must attain a grade for the course of "C" or better and present written verification of such grade to the Department Head.

l. Maternity/Paternity Leave

(1) Any employee who has completed the initial probationary period of six months, who is absent from such employment for a period not exceeding twelve weeks for the purpose of giving birth, caring for a newborn child or adoption of a child, said period to be hereinafter called maternity or paternity leave, and who shall give at least two weeks' notice to his/her Department Head or supervisor of departure and intention to return, shall be restored to his/her previous or a similar position with the same status pay, length of service credit and seniority, where applicable, and other employment benefits for which he/she was eligible on the date his/her leave commenced.

(2) Accrued sick leave benefits shall be provided for maternity/paternity leave purposes under the same terms and conditions which apply to other temporary medical disabilities.

(3) Such maternity/paternity leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit benefits, plans or programs for which he/she was eligible at the date of his/her leave, and any other advantages or rights of his/her employment incidental to his/her employment position.

m. Group Insurance

The Town will contribute fifty percent (50%) of the cost of an indemnity plan for medical coverage or **eighty percent (80%)** of the cost of the Health Maintenance Organization plan.

SECTION 12. LEAVE OF ABSENCE

a. A leave of absence for valid reasons may be granted by a Department Head, but shall be without compensation.

b. Leaves of absence of over three months' duration, except military leave, shall be considered a break in employment, and on return to work the employee shall have the status of a new employee unless an extension of leave beyond three months has been authorized by the Personnel Board.

SECTION 13. TRANSITIONS BETWEEN FULL-TIME AND PART-TIME STATUS

a. A Part-Time employee shall be eligible for Full-Time (employee) status when the employee has worked over 20 hours a week for a period of at least three consecutive months. This status change requires prior approval by the appropriate Department Head.

b. A Full-Time employee whose hours of employment total less than 20 hours per week, exclusive of legal holidays and authorized vacation leave, sick leave, bereavement leave and other authorized leaves of absence for a period of more than three consecutive months, shall be considered to be a Part-Time employee.

SECTION 14. APPOINTMENT OF "ACTING" DEPARTMENT HEADS

a. The Board of Selectmen or the appropriate commissioners or trustees may appoint, where necessary, in the case of the absence of a Department Head for three (3) consecutive weeks, excluding vacation periods, an "Acting" Department Head.

b. These "Acting" employees shall be compensated at an additional step rate of 10% per week. Such pay shall be retroactive only upon the conclusion of three (3) consecutive weeks of service by the "Acting" Department Head.

c. While on "Acting" status, which should be no longer than three (3) months, an employee shall still be eligible for overtime pay when fulfilling regular duties from the previous job beyond normal working hours.

SECTION 15. PERSONNEL BOARD

a. There shall be a Personnel Board to administer the Salary Administration Plan and Personnel By-Laws. Said Board to be appointed by the Moderator, consisting of five voters other than employees of the Town or those regularly serving the Town in any elective capacity. They shall serve without compensation.

b. Future appointments shall be for three years. The Moderator shall fill any vacancies. All members shall continue to hold office until their successors have been appointed and qualified. The Personnel Board may employ assistance and incur expenses as it deems necessary, subject to appropriation of funds thereof.

SECTION 16. DUTIES OF THE PERSONNEL BOARD

a. The Personnel Board shall administer the Salary Administration Plan and Personnel By-Laws and shall establish such policies, procedures and regulations as it deems necessary for the administration of the Plan.

b. The Board shall meet annually in July and organize by the choice of a Chairman and Clerk. The Board shall meet at least monthly, except for the month of August. A majority of the Board shall constitute a quorum for the transaction of business. The votes of the majority of all the members of the Board shall be necessary on any matter upon which it is authorized to or required to pass under the Salary Administration Plan and Personnel By-Laws.

c. The Personnel Board shall maintain records of all employees subject to this Plan, included therein such information as it deems desirable, including without limitation personnel evaluations. Such records are to be kept by the Assistant Town Administrator, under the direction of the Personnel Board. Department Heads shall furnish such information as shall be requested by the Board. The Town Accountant shall also assist the Personnel Board in reviewing matters covered by the Plan and shall bring any issues relating to payment or accounting to the attention of the Board prior to payment.

d. The Personnel Board, from time to time, shall review the Classification Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. The Personnel Board may tentatively add a new class to the Classification Schedule or reallocate an existing class to a different compensation grade, either higher or lower, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting.

e. On or before November 10th of each year the Personnel Board may vote an annual adjustment to the Classification Schedule and establish the effective rate for Step 9 employees of each grade for the next fiscal year, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting. The Personnel Board shall base any annual adjustments upon available relevant information, including, but not limited to U.S. Department of Labor Cost of Living indices and salaries paid by equivalent towns for comparable positions.

f. Notwithstanding the foregoing the Personnel Board shall reserve the right to vote no adjustment as long as such determination is voted on or before November 10th of each year.

g. The Personnel Board shall, from time to time, review the Salary Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. It shall keep informed as to pay rates and policies outside the services of the Town, and shall recommend to the Town any action which it deems desirable to maintain a fair equitable pay level.

h. Matters that are sent to the Chairman of the Personnel Board by registered mail must be brought before the Board at its next scheduled meeting. Failure of the board to vote to approve or disapprove requests within thirty (30) days of that meeting shall constitute approval of the request. In addition, notice in writing shall be forwarded to the concerned employee and respective Department Head within three (3) days of the Board's decision. Notwithstanding, if the Personnel Board shall so request and the concerned employee and his/her Department Head shall mutually agree, a reasonable extension of these time periods may be granted.

i. Upon recommendation of a Department Head, supported by evidence in writing of special reasons and exceptional circumstances satisfactory to the Personnel Board, said Board may authorize an entrance rate higher than the minimum rate for a position, and such other variances in the Salary Administration Plan and Personnel By-Laws as it may deem necessary for the proper functioning of the services of the Town, and to effectuate the basic intent of the Plan.

SECTION 17. EMPLOYEES AND THE PERSONNEL BOARD

a. All employees presently covered by this Plan shall have the right to request an appointment to confer with the Board on any matter which is of interest or concern to them and which is covered by the Salary Administration Plan and Personnel By-Laws. The employee shall notify the Department Head in writing in advance of his/her desire to discuss the matter with the Board. One of the duties of the Board shall be to foster mutual understanding and good will with the personnel of the Town.

b. To facilitate this, if any employee should feel aggrieved by the operation of any provision of the Plan, he/she shall first discuss the matter with his/her Department Head, in a mutual effort to clear up any problems or misunderstanding.

c. If two weeks after such a conference, a satisfactory understanding and solution of the problem has not been reached, then either the Department Head or the employee may take the matter to the Board. The Board shall hear the parties not later than its next regular meeting. There shall be no discrimination or prejudice by a Department Head against any employee who may take a matter to the Board.

SECTION 18. AMENDMENT OF THE PLAN

The Salary Administration Plan and Personnel By-Laws may be amended in the same manner in which Town By-Laws may be amended; provided, however, that no amendment to the Plan shall be made until it has been presented by a signed petition addressed to and submitted to the Personnel Board, and acted upon by the Board. Upon receipt of such a written petition, the Board, after giving the petitioners, the Department Heads and employees affected at least one week's written notice, shall hold a hearing of the parties interested to consider the proposed amendment. If the Personnel Board shall approve of any such proposed amendment, it shall take the proper steps to bring the proposed amendment before the next annual Town Meeting for its consideration and action. If the Personnel Board shall disapprove any such proposed amendment, and failure to act thereof within fifteen days after the hearing shall be deemed disapproved, the petition may then be presented to the next Annual Town Meeting for its consideration and action, if so desired. The Board of its own motion, after a similar hearing and/or conference with parties interested, may propose an amendment to the Plan.

SECTION 19. CIVIL SERVICE LAW

Nothing in this by-law, or in the Salary Administration Plan and Personnel By-Laws, shall be construed to conflict with Chapter 31 of the General Laws, which is the Chapter dealing with the Civil Service Law.

SECTION 20. SEVERABILITY PROVISION

In the event that any provision of this by-law, or application thereof, shall be held to be invalid by the proper authorities, this shall not be construed to affect the validity of any other provision, or application thereof, of this by-law.

SECTION 21: CLASSIFICATION SCHEDULE

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9
I	30,000	31,200	32,448	33,746	35,096	36,500	37,960	39,478	*
II	35,000	36,400	37,856	39,370	40,945	42,583	44,286	46,058	*
III	40,000	41,600	43,264	44,995	46,794	48,666	50,613	52,637	*
IV	45,000	46,800	48,672	50,619	52,644	54,749	56,939	59,217	*
V	55,000	57,200	59,488	61,868	64,342	66,916	69,593	72,376	*
VI	60,000	62,400	64,896	67,492	70,192	72,999	75,919	78,956	*
VII	75,000	78,000	81,120	84,365	87,739	91,249	94,899	98,695	*

Note 1: Step 9 of the Classification Schedule will be addressed per Section 16 (e) of this plan.

SCHEDULE A:	FULL-TIME SALARY GRADED POSITIONS
Maintenance Custodian (Hourly)	I
Staff Librarian (Hourly)	I
After-School Program Coordinator	**II**

Animal Control Officer	II
Assistant Director, Council on Aging	II
Maintenance Mechanic	II
Outreach Coordinator	II
Program Coordinator, Recreation Commission	II
Assistant Director, Youth & Family Services	II
Children's Librarian	III
Staff Engineer	III
Assistant Town Administrator	IV
Director, Council on Aging	IV
Director of Recreation Commission	IV
Assistant Superintendent, DPW	V
Building Inspector	V
Facilities Manager	V
Library Director	V
Principal Assessor	V
Public Health Director	V
Town Accountant	V
Town Planner	V
Treasurer-Collector	V
Director, Youth & Family Services	V
Finance Director	**VI**
Superintendent of Public Works	VII

SCHEDULE B: (Reserved)
SCHEDULE C: PART-TIME HOURLY GRADED POSITIONS

Library Page (P.T.)	1
Seasonal Laborer	1
Electrician	**2**
Seasonal Laborer II	2
Summer Program Assistant, Youth Commission	2
Election Worker (P.T.)	3
Page, Library	3
Election Warden (P.T.)	4
Clerk, Library	5
Library Custodian	5
Substitute Custodian	5
Police Dispatcher	8
Receptionist	8
Secretary, Town Committee	8
Reserve Police Officer	9
Tree Warden	11
Administrative Assistant, Youth & Family Services	11

Hourly Rates for Part-Time Positions

Grade	Minimum	Maximum
1	$5.15	$7.70
2	$8.34	$12.35
3	$8.84	$12.98
4	$9.26	$13.78
5	$9.71	$14.49
6	$10.25	$15.22
7	$10.73	$15.95
8	$11.26	$16.77
9	$11.82	$17.62
10	$12.54	$18.66
11	$13.87	$20.70
12	$21.00	$28.00
13	$29.00	$41.00

SCHEDULE D: FIRE DEPT COMPENSATION (Positions not covered by Coll. Bargaining Agreement)

Grade	Proposed Pay Structure	Drills	Boxes	Signal 55
1	Firefighter (Entry Level)	0.00	0.00	0.00
2	Firefighter I Certified	18.00	16.00	16.00
3	Firefighter I/II Certified	19.00	17.00	17.00
4	Firefighter I Certified/Operator	20.00	18.00	18.00
5	Firefighter I/II Certified/Operator	21.00	19.00	19.00
6	EMT (Entry Level)	0.00	0.00	0.00
7	EMT	18.00	16.00	16.00
8	EMT-I	20.00	18.00	18.00
9	Firefighter I Certified/EMT	20.00	18.00	18.00
10	Firefighter I/II Certified/EMT	21.00	19.00	19.00
11	Firefighter I Certified/Operator/EMT	22.00	20.00	20.00
12	Firefighter I/II Certified/Operator/EMT	23.00	21.00	21.00
13	Lieutenant	24.00	22.00	22.00
14	Lieutenant/EMT	26.00	24.00	24.00

SCHEDULE E: MISCELLANEOUS ANNUAL COMPENSATION SCHEDULE

Clerk, Board of Registrars	$1,638.33
Registrar of Voters	$205.66
Town Counsel (plus fees)	$1,704.33
Veterans'Agent and Director of Veterans' Services	$9,836.68

SCHEDULE F – FEE BASED COMPENSATION (Recreation Seasonal Personnel)

Junior Playground Counselor	1
Senior Playground Counselor	2
Assistant Instructor	2
Assistant Supervisor	3
Monitors	3
Lifeguards	4
Instructors I	5
School Monitors	6
Activity Coordinator	6
Program Driver	6
Coordinator/Supervisor	11
Instructor II	12
Master Instructor	13
Nurse	**13**

LONGEVITY SCHEDULE

Full-Time Employees: 20 Hours or more Note: Compensated on an annual basis

After 5 years	$400
After 10 years	$600
After 15 years	$700
After 20 years	$850
After 25 years	$1,000
After 30 years	$1,200
After 40 years	$1,500

MOTION MADE: That the Town amend the Salary Administration Plan by deleting it in its entirety and replacing it with a new Salary Administration Plan, as printed in the warrant.
(Advisory Committee stated it takes no position on this MOTION.)
MOTION VOTED UNANIMOUSLY.

Town of Southborough
ANNUAL TOWN MEETING
Adjourned Session Monday, April 11, 2005

THE BUDGET

ARTICLE 10: To see if the Town will vote to raise a sum of money not to exceed the sum of $36,088,631 as may be necessary for the Town's use, and make appropriations of the same, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION: That the Town raise a sum of money not to exceed the sum of $36,088,631 as may be necessary for the Town's use, and make appropriation of the same.
MOTION VOTED UNANIMOUSLY.

MOTION: To divide the question.
MOTION VOTED UNANIMOUSLY.
MOTION: To vote to transfer $202,046 from the Stabilization Fund
(Requires 2/3 Vote)
MOTION VOTED UNANIMOUSLY.

MOTION: To take an umbrella vote on those budgets that do not have a hold on them. This one vote will have the affect of voting each separately.
MOTION VOTED UNANIMOUSLY.

MOTION: To pass all budgets that do not have a hold on them.
MOTION VOTED UNANIMOUSLY.

SEE BUDGETS ON THE FOLLOWING PAGES (pages 19 through 30)

100-199 GENERAL GOVERNMENT

110-119 Legislative

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
114 MODERATOR						
51000-51990 Personal Services	50	50	50	50	50	
57000-57990 Other Charges and Expenses	20	50	50	50	50	
MODERATOR TOTAL	70	100	100	100	**100**	0.0%

121-129 Executive

121 ELECTED BOARD OF SELECTMEN						
51000-51990 Personal Services	3,000	3,000	3,000	3,000	3,000	
ELECTED BOARD OF SELECTMEN TOTAL	3,000	3,000	3,000	3,000	**3,000**	0.0%

122 BOARD OF SELECTMEN						
51000-51990 Personal Services	172,751	181,631	180,059	184,061	186,672	
52000-53990 Purchase of Services	611	5,323	3,320	3,070	3,070	
54000-55990 Supplies	1,608	2,815	2,365	2,065	2,065	
57000-57990 Other Charges and Expenses	12,807	7,301	6,331	6,262	6,262	
BOARD OF SELECTMEN TOTAL	187,777	197,070	192,075	195,458	**198,069**	3.1%

131-149 Financial Administration

131 ADVISORY COMMITTEE						
57000-57990 Other Charges and Expenses	145	135	135	135	135	
ADVISORY COMMITTEE TOTAL	145	135	135	135	**135**	0.0%

132 RESERVE FUND						
57000-57990 Other Charges and Expenses	95,488	250,000	250,000	250,000	250,000	
RESERVE FUND TOTAL	95,488	250,000	250,000	250,000	250,000	62.0%

MOTION MADE: That the Budget of the Reserve Fund ($250,000) be increased by $150,000 to a new total of $400,000.
MOTION VOTED UNANIMOUSLY.

135 TOWN ACCOUNTANT						
51000-51990 Personal Services	100,517	106,173	107,859	138,899	142,219	
52000-53990 Purchase of Services	0	200	200	4,000	4,000	
54000-55990 Supplies	450	700	700	800	800	
57000-57990 Other Charges and Expenses	40	50	100	100	100	
58000-58990 Capital Outlay	0	250	250	300	300	
TOWN ACCOUNTANT TOTAL	101,007	107,373	109,109	144,099	147,419	35.1%

MOTION MADE: That the Budget of the Town Accountant ($147,419) be reduced by $15,190 to a new total of $132,229.
MOTION VOTED UNANIMOUSLY.

136 AUDIT						
52000-53990 Purchase of Services	17,500	19,500	19,500	19,500	19,500	
AUDIT TOTAL	17,500	19,500	19,500	19,500	**19,500**	0.0%

140 ELECTED BOARD OF ASSESSORS						
51000-51990 Personal Services	2,250	2,250	2,250	2,250	2,250	
ELECTED BOARD OF ASSESSORS TOTAL	2,250	2,250	2,250	2,250	**2,250**	0.0%

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
141 ASSESSORS						
51000-51990 Personal Services	118,625	122,003	121,850	122,269	125,221	
52000-53990 Purchase of Services	26,132	21,800	30,800	37,100	37,100	
54000-55990 Supplies	4,428	5,100	5,600	5,600	5,600	
57000-57990 Other Charges and Expenses	3,503	4,200	4,200	5,700	5,700	
58000-58990 Capital Outlay	0	0	0	0	0	
ASSESSORS TOTAL	152,688	153,103	162,450	170,669	**173,621**	6.9%
145 TREASURER/COLLECTOR						
51000-51990 Personal Services	148,296	173,000	160,814	166,136	170,565	
52000-53990 Purchase of Services	35,713	6,500	6,700	7,020	7,020	
54000-55990 Supplies	7,557	6,000	6,850	6,500	6,500	
57000-57990 Other Charges and Expenses	3,432	5,000	2,150	2,425	2,425	
TREASURER COLLECTOR TOTAL	194,998	190,500	176,514	182,081	**186,510**	5.7%

151-159 Operations Support

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
151 LEGAL						
52000-53990 Purchase of Services	56,426	60,000	60,000	95,000	95,000	
LEGAL TOTAL	56,426	60,000	60,000	95,000	**95,000**	58.3%
152 PERSONNEL BOARD						
52000-53990 Purchase of Services	6,517	4,200	3,120	3,195	3,195	
54000-55990 Supplies	0	0	0	50	50	
57000-57990 Other Charges and Expenses	0	0	0	120	120	
PERSONNEL BOARD TOTAL	6,517	4,200	3,120	3,365	**3,365**	7.9%
153 SPECIAL LEGAL COUNSEL						
52000-53990 Purchase of Services	81,416	65,000	60,000	55,000	55,000	
SPECIAL LEGAL COUNSEL TOTAL	81,416	65,000	60,000	55,000	**55,000**	-8.3%
155 MANAGEMNENT INFORMATION SYSTEMS						
20 GEOGRAPHIC INFORMATION SYSTEMS						
52000-53990 Purchase of Services	0	36,400	33,200	36,200	36,200	
54000-55990 Supplies	0	2,000	2,000	2,000	2,000	
58000-58990 Capital Outlay	0	4,600	0	0	0	
Geographic Information Systems Total	0	43,000	35,200	38,200	**38,200**	
21 OTHER INFORMATION SYSTEMS						
52000-53990 Purchase of Services	128,016	101,648	102,176	102,176	102,176	
54000-55990 Supplies	2,339	8,260	5,840	5,840	5,840	
58000-58990 Capital Outlay	27,147	13,100	23,700	23,700	23,700	
Other Information Systems Total	157,502	123,008	131,716	131,716	131,716	
MANAGEMENT INFORMATION SYSTEMS TOTAL	157,502	166,008	166,916	169,916	**169,916**	1.8%
159 OTHER OPERATION SUPPORT						
51000-51990 Personal Services	29,018	29,328	30,794	32,345	32,345	
52000-53990 Purchase of Svcs	58,173	68,124	67,751	75,001	75,001	
54000-55990 Supplies	3,334	4,066	5,658	5,658	5,658	
58000-58990 Capital Outlay	0	2,000	0	0	0	
OTHER OPERATION SUPPORT TOTAL	90,525	103,518	104,203	113,004	**113,004**	8.4%

160-169 Licensing and Registration

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
160 ELECTED TOWN CLERK	25,000	25,000	25,000	35,000	35,000	
51000-51990 Personal Services						
ELECTED TOWN CLERK TOTAL	25,000	25,000	25,000	35,000	35,000	40.0%

MOTION MADE: That the Budget of the Elected Town Clerk Salary ($35,000) be reduced by $5,000 to a new total of $30,000 to be raised and appropriated with $5,000 contingent on passage of a budget override by a majority vote at the Annual Town Election.

MOTION VOTED UNANIMOUSLY.

PASSED AT ANNUAL TOWN ELECTION May 9, 2005.

YES: 752 NO: 397

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
161 TOWN CLERK						
51000-51990 Personal Services	39,806	40,501	40,501	40,389	40,389	
52000-53990 Purchase of Services	460	560	560	1,100	1,100	
54000-55990 Supplies	779	900	900	400	400	
57000-57990 Other Charges and Expenses	517	1,190	1,190	1,670	1,670	
58000-58990 Capital Outlay	500	500	500	0	0	
TOWN CLERK TOTAL	42,062	43,651	43,651	43,559	**43,559**	-0.2%
162 ELECTIONS & REGISTRATION						
51000-51990 Personal Services	54,702	48,025	46,881	41,792	41,792	
52000-53990 Purchase of Services	12,802	14,000	16,150	11,995	11,995	
54000-55990 Supplies	2,250	1,557	1,917	905	905	
57000-57990 Other Charges and Expenses	1,809	2,175	2,175	2,175	2,175	
58000-58990 Capital Outlay	500	500	0	0	0	
ELECTIONS & REGISTRATION TOTAL	72,063	66,257	67,123	56,867	**56,867**	-15.3%

171-179 Land Use

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
171 CONSERVATION COMMISSION						
51000-51990 Personal Services	20,595	20,595	26,380	25,428	25,428	
52000-53990 Purchase of Services	1,388	3,015	3,135	3,135	3,135	
54000-55990 Supplies	400	180	180	180	180	
57000-57990 Other Charges and Expenses	425	500	600	600	600	
58000-58990 Capital Outlay	0	0	400	0	0	
CONSERVATION COMMISSION TOTAL	22,808	24,290	30,695	29,343	**29,343**	-4.4%
175 PLANNING BOARD						
51000-51990 Personal Services	67,116	94,924	96,945	96,945	100,396	
52000-53990 Purchase of Services	4,140	1,500	1,610	3,910	3,910	
54000-55990 Supplies	625	610	835	1,135	1,135	
57000-57990 Other Charges and Expenses	7,034	3,970	4,009	5,743	5,743	
PLANNING BOARD TOTAL	78,915	101,004	103,399	107,733	**111,184**	7.5%
176 ZONING BOARD OF APPEALS						
51000-51990 Personal Services	6,350	8,531	8,770	9,196	9,196	
52000-53990 Purchase of Services	5,630	3,400	3,700	3,700	3,700	
54000-55990 Supplies	200	180	180	180	180	
ZONING BOARD OF APPEALS TOTAL	12,180	12,111	12,650	13,076	**13,076**	3.4%
177 OPEN SPACE						
52000-53990 Purchase of Svcs	0	0	490	900	900	
54000-55990 Supplies	0	0	360	300	300	
OPEN SPACE TOTAL	0	0	850	1,200	**1,200**	41.2%

191-199 Other

192 PUBLIC BUILDINGS AND PROPERTIES MAINTENANCE

51000-51990 Personal Services	175,643	173,479	191,134	267,789	273,783	
52000-53990 Purchase of Svcs	176,565	187,737	186,750	217,678	217,678	
54000-55990 Supplies	91,055	92,355	95,875	98,375	98,375	
57000-57990 Other Charges & Expenses	845	610	810	1,535	1,535	
58000-58990 Capital Outlay	2,040	0	0	0	0	
PUBLIC BLDGS. & PROPERTY MAINT. TOTAL	446,148	454,181	474,569	585,377	591,371	24.6%

MOTION MADE: That the budget of the Public Buildings & Property ($591,371) be reduced by $74,808 to a new total of $516,563 to be raised and appropriated with $7,500 contingent on passage of a budget override by a majority vote at the Annual Town Election.

MOTION VOTED UNANIMOUSLY.
PASSED AT ANNUAL TOWN ELECTION May 9, 2005.
YES: 752 NO: 397

200-299 Public Safety

210 POLICE DEPARTMENT

51000-51990 Personal Services	1,136,442	1,236,502	1,170,584	1,264,415	1,264,415	
52000-53990 Purchase of Services	41,355	44,934	51,200	59,405	59,405	
54000-55990 Supplies	7,156	7,700	5,500	6,000	6,000	
57000-57990 Other Charges and Expenses	10,590	12,100	3,150	4,250	4,250	
58000-58990 Capital Outlay	(122)	4,000	4,000	4,000	4,000	
POLICE DEPARTMENT TOTAL	1,195,421	1,305,236	1,234,434	1,338,070	1,338,070	8.4%

MOTION MADE: To reduce the budget of the Police Department ($1,338,070) by $58,686 to a new total of $1,279,384.
MOTION VOTED UNANIMOUSLY.

220 FIRE DEPARTMENT

51000-51990 Personal Services	1,210,955	1,452,488	1,412,863	1,402,694	1,402,694	
52000-53990 Purchase of Svcs	54,181	45,395	83,699	89,754	89,754	
54000-55990 Supplies	49,615	30,034	54,129	55,444	55,444	
57000-57990 Other Charges and Expenses	2,515	3,975	3,875	4,230	4,230	
58000-58990 Capital Outlay	479	4,105	3,500	3,500	3,500	
FIRE DEPARTMENT TOTAL	1,317,745	1,535,997	1,558,066	1,555,622	1,555,622	-0.2%

MOTION MADE: To reduce the budget of the Fire Department ($1,555,622) by $51,709 to a new total of $1,503,913 with $50,000 contingent on passage of a budget override at Annual Town Election.
MOTION PASSED BY MAJORITY.
PASSED AT ANNUAL TOWN ELECTION May 9, 2005.
YES: 752 NO: 397

241 BUILDING DEPARTMENT

51000-51990 Personal Services	83,841	88,006	84,923	85,353	88,545	
52000-53990 Purchase of Services	441	395	395	395	395	
54000-55990 Supplies	419	480	480	480	480	
57000-57990 Other Charges and Expenses	1,795	1,505	1,880	1,880	1,880	
58000-58990 Capital Outlay	845	500	500	500	500	
BUILDING DEPARTMENT TOTAL	87,341	90,886	88,178	88,608	**91,800**	4.1%

291 CIVIL DEFENSE

51000-51990 Personal Services	3,454	854	1,227	926	926	
52000-53990 Purchase of Services	3,208	1,561	2,196	400	400	
54000-55990 Supplies	604	600	600	400	400	
57000-57990 Other Charges and Expenses	473	0	0	0	0	
58000-58990 Capital Outlay	12,931	500	0	0	0	
CIVIL DEFENSE TOTAL	20,670	3,515	4,023	1,726	**1,726**	-57.1%

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
51000-51990 Personal Services	30,040	32,611	23,000	19,000	19,000	
52000-53990 Purchase of Services	7,430	7,300	7,100	7,100	7,100	
54000-55990 Supplies	0	0	500	500	500	
ANIMAL CONTROL OFFICER TOTAL	37,470	39,911	30,600	26,600	**26,600**	-13.1%

400-499 Public Works & Facilities

420, 430, 490 DEPT. OF PUBLIC WORKS (Highway, Cemetery, Tree)

51000-51990 Personal Services	740,471	738,501	738,425	779,224	785,710	
52000-53990 Purchase of Services	434,642	414,286	456,285	465,550	465,550	
54000-55990 Supplies	216,382	152,550	158,150	185,800	185,800	
56000-56990 Intergovernmental	0	0	2,500	2,500	2,500	
57000-57990 Other Charges and Expenses	627	800	100	100	100	
58000-58990 Capital Outlay	1,344	5,000	5,000	5,000	5,000	
ALL OTHER DEPT. OF PUBLIC WORKS TOTAL	1,393,466	1,311,137	1,360,460	1,438,174	1,444,660	6.2%

MOTION MADE: To reduce the budget of Department of Public Works, (Highway, Cemetery, Tree) ($1,444,660) by $34,432 to a new total of $1,410,228.

MOTION VOTED UNANIMOUSLY.

450 DEPT. OF PUBLIC WORKS - WATER

51000-51990 Personal Services	308,990	341,632	355,852	356,063	356,063	
52000-53990 Purchase of Services	688,513	732,590	111,725	115,250	115,250	
54000-55990 Supplies	28,965	28,750	39,250	47,000	47,000	
56000-56990 Intergovernmental	0	0	620,000	580,000	580,000	
57000-57990 Other Charges and Expenses	682	850	100	100	100	
58000-58990 Capital Outlay	1,688	3,500	3,500	3,500	3,500	
PUBLIC WORKS WATER DEPT. TOTAL	1,028,838	1,107,322	1,130,427	1,101,913	**1,101,913**	-2.5%

424 STREET LIGHTS

52000-53990 Purchase of Services	95,273	105,000	105,000	105,000	105,000	
STREET LIGHTS TOTAL	95,273	105,000	105,000	105,000	**105,000**	0.0%

500-599 HUMAN SERVICES

510 ELECTED BOARD OF HEALTH

51000-51990 Personal Services	450	450	450	450	450	
ELECTED BOARD OF HEALTH TOTAL	450	450	450	450	**450**	0.0%

511 BOARD OF HEALTH

51000-51990 Personal Services	92,926	97,524	101,003	108,707	108,707	
52000-53990 Purchase of Services	3,184	9,777	10,360	7,860	7,860	
54000-55990 Supplies	1,240	1,300	900	900	900	
57000-57990 Other Charges and Expenses	6,222	5,115	1,747	1,747	1,747	
BOARD OF HEALTH TOTAL	103,572	113,716	114,010	119,214	**119,214**	4.6%

541 COUNCIL ON AGING

51000-51990 Personal Services	77,353	83,551	101,991	120,859	126,487	
52000-53990 Purchase of Services	29,873	27,920	30,732	15,480	15,480	
54000-55990 Supplies	2,398	2,000	4,425	4,425	4,425	
57000-57990 Other Charges and Expenses	941	1,550	1,075	1,140	1,140	
58000-58990 Capital Outlay	5,522	0	0	0	0	
COUNCIL ON AGING TOTAL	116,087	115,021	138,223	141,904	**147,532**	2.7%

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
542 YOUTH COMMISSION						
51000-51990 Personal Services	88,179	100,530	103,493	103,882	109,378	
52000-53990 Purchase of Services	19,724	14,244	8,930	9,118	9,118	
54000-55990 Supplies	4,075	2,800	700	700	700	
57000-57990 Other Charges and Expenses	1,645	2,200	2,050	2,050	2,050	
YOUTH COMMISSION TOTAL	113,623	119,774	115,173	115,750	**121,246**	5.3%
543 VETERANS' SERVICES						
51000-51990 Personal Services	9,838	9,838	9,837	9,837	9,837	
52000-53990 Purchase of Services	0	0	0	0	0	
54000-55990 Supplies	80	200	200	250	250	
57000-57990 Other Charges and Expenses	12,578	15,467	16,034	20,445	20,445	
VETERANS' SERVICES TOTAL	22,496	25,505	26,071	30,532	**30,532**	17.1%

600-699 CULTURE & RECREATION

610 LIBRARY						
51000-51990 Personal Services	239,769	245,457	244,274	243,852	249,796	
52000-53990 Purchase of Services	20,072	25,140	25,140	26,600	26,600	
54000-55990 Supplies	64,809	61,800	58,316	60,000	60,000	
57000-57990 Other Charges and Expenses	4,729	13,100	15,250	15,250	15,250	
58000-58990 Capital Outlay	6,192	1,000	1,000	1,300	1,300	
LIBRARY TOTAL	335,571	346,497	343,980	347,002	352,946	2.6%

MOTION MADE: To reduce the budget of the Library ($352,946) by $8,840 to a new total of $344,106.

MOTION VOTED UNANIMOUSLY.

630 RECREATION COMMISSION						
51000-51990 Personal Services	94,020	108,327	112,402	114,129	119,335	
52000-53990 Purchase of Svcs	6,430	9,160	7,750	4,300	4,300	
54000-55990 Supplies	808	900	418	784	784	
57000-57990 Other Charges and Expenses	1,956	4,630	2,535	2,810	2,810	
58000-58990 Capital Outlay	0	0	0	0	0	
RECREATION COMMISSION TOTAL	103,214	123,017	123,105	122,023	**127,229**	3.3%
691 HISTORICAL COMMISSION						
51000-51990 Personal Services	3,282	3,562	2,562	2,562	2,562	
54000-55990 Supplies	0	190	190	190	190	
HISTORICAL COMMISSION TOTAL	3,282	3,752	2,752	2,752	**2,752**	0.0%
692 MEMORIAL DAY						
52000-53990 Purchase of Svcs	350	400	400	400	400	
54000-55990 Supplies	4,315	1,925	1,250	1,855	1,855	
MEMORIAL DAY TOTAL	4,665	2,325	1,650	2,255	**2,255**	36.7%
693 HERITAGE DAY						
52000-53990 Purchase of Svcs	7,930	9,160	200	200	200	
54000-55990 Supplies	808	900	300	300	300	
HERITAGE DAY TOTAL	8,738	10,060	500	500	**500**	0.0%

900-999 UNCLASSIFIED

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
910 EMPLOYEE BENEFITS						
51000-51990 Total Personal Services						
51700 Police/Fire Accident and Workers' Comp.	93,396	124,500	136,950	136,950	136,950	
51710 Unemployment Payments	21,808	23,358	25,000	25,000	25,000	
51720 Health Insurance	1,676,102	2,127,041	2,508,106	3,147,148	3,147,148	
51730 Retirement Fund	492,692	507,531	524,871	628,342	628,342	
51740 Life Insurance	5,246	6,535	5,341	6,073	6,073	
51750 Social Security	52,904	60,000	56,000	0	0	
51770 Medicare	141,559	125,000	145,000	175,000	175,000	
51780 Dental Insurance	80,829	103,641	99,805	119,962	119,962	
EMPLOYEE BENEFITS TOTAL	2,564,536	3,077,606	3,501,073	4,238,475	4,238,475	21.1%

MOTION MADE: To reduce the budget of Employee Benefits ($4,238,475) by $210,429 to a new total of $4,028,046.
MOTION VOTED UNANIMOUSLY.

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
945 LIABILITY INSURANCE						
52000-53990 Purchase of Services	5,113	11,000	11,000	11,000	11,000	
57100-57990 Other Charges and Expenses	80,117	165,000	203,500	203,500	203,500	
LIABILITY INSURANCE TOTAL	85,230	176,000	214,500	214,500	**214,500**	0.0%

700-799 DEBT SERVICE

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
710 RETIREMENT OF DEBT-GENERAL FUND						
59000-59490 Debt Service						
59100 Principal Long Term Debt	1,451,100	2,952,201	2,403,186	2,430,596	2,430,596	
59350 Principal Short Term Debt	0	0	229,164	0	0	
5900-59490 Total Debt Service-General Fund	1,451,100	2,952,201	2,632,350	2,430,596	**2,430,596**	-7.7%

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
750 INTEREST ON DEBT-GENERAL FUND						
59000-59490 Debt Service						
59150 Interest Long Term Debt	1,041,841	1,877,491	1,665,947	1,579,856	1,579,856	
59350 Principal Short Term Debt	0	0	2,928	20,204	20,204	
5900-59490 Total Debt Service-General Fund	1,041,841	1,877,491	1,668,875	1,600,060	**1,600,060**	-4.1%

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
710 RETIREMENT OF DEBT-WATER FUND						
59000-59490 Debt Service						
59100 Principal Long Term Debt	0	40,000	50,000	50,000	50,000	
59350 Principal Short Term Debt	0	0	0	0	0	
5900-59490 Total Debt Service-Water Fund	0	40,000	50,000	50,000	**50,000**	0.0%

BUDGET NAME	FY 2003 ACTUAL	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
750 INTEREST ON DEBT-WATER FUND						
59000-59490 Debt Service						
59150 Interest Long Term Debt	0	16,000	11,625	11,625	11,625	
59350 Principal Short Term Debt	0	0	0	0	0	
5900-59490 Total Debt Service-Water Fund	0	16,000	11,625	11,625	**11,625**	0.0%

300-399 EDUCATION

BUDGET NAME	FY 2004 ACTUAL	FY 2005 BUDGET	FY 2006 REQUEST	Percent Inc./Decr.
300 ELECTED SCHOOL COMMITTEE				
51000-51990 Personal Services	500	500	500	
Elected School Committee Total	500	500	500	0%
SOUTHBOROUGH SCHOOLS: REGULAR DAY PROGRAMS				
ADMINISTRATION				
School Committee	11,056	10,500	10,500	
Superintendent's Office	165,470	161,672	161,672	
Administrative Support	155,116	159,685	159,685	
INSTRUCTION				
Supervision	32,146	38,100	39,200	
Principals	660,794	727,940	710,612	
Teaching	5,139,330	5,444,712	5,433,555	
Professional Development	60,378	77,300	88,900	
Textbooks & Materials	263,205	208,815	136,227	
Instructional Hardware & Software	41,576	50,926	35,426	
Library Services	187,475	242,827	209,303	
Instructional Equipment	32,993	36,722	31,100	
Guidance Services	170,424	163,455	163,455	
OTHER STUDENT SERVICES				
Testing	0	0	0	
Personnel Services	500	500	500	
Health Services	150,445	207,749	207,749	
Transportation	256,562	259,710	246,860	
Athletics	19,936	19,752	19,927	
Student Body Activities	17,146	17,688	17,703	
OPERATION AND MAINTENANCE OF BUILDINGS				
Operation of Buildings	837,264	997,008	1,060,411	
Maintenance of Buildings	277,904	269,505	218,712	
Extraordinary Maintenance	26,178	27,000	0	
Networking & Telecommunications	49,229	57,272	47,035	
FIXED CHARGES				
Rentals & Leases	49,816	61,814	61,814	
Retirement Liability	0	0	0	
COLLECTIVE BARGAINING				
Collective Bargaining/Transp. Set Aside	0	0	774,944	
REGULAR DAY PROGRAMS TOTAL	8,604,943	9,240,652	9,835,290	
SPECIAL EDUCATION PROGRAMS – CHAPTER 766				
INSTRUCTION				
Director	96,448	101,342	99,842	
Teaching	1,477,749	1,677,057	1,628,450	
Professional Development	1,619	2,000	1,200	
Instructional Technology	989	2,000	1,500	
Psychological Services	168,525	202,286	174,786	
OTHER STUDENT SERVICES				
Health Services	29,034	47,000	37,000	
Transportation Within	24,263	30,000	30,000	
OPERATION AND MAINTENANCE OF BUILDINGS				
Operation of Buildings	6,818	8,000	7,500	
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS				
Tuition, Out	923,118	1,058,291	1,236,374	
Transportation, Out	244,965	268,060	268,060	
PROGRAMS, MEMBER OF COLLABORATIVE				
Assabet Collaborative Assessment	3,135	11,000	5,000	
Tuition Out, Collaborative	32,940	59,140	84,000	
Transportation Out, Collaborative	55,756	68,315	68,315	
SPECIAL ED. – CHAPTER 766 TOTAL	3,065,359	3,534,491	3,642,027	
SUMMARY				
REGULAR DAY PROGRAMS	8,604,943	9,240,652	9,835,290	
SPECIAL EDUCATION – CHAPTER 766	3,065,359	3,534,491	3,642,027	
GRAND TOTAL OPERATING BUDGET	11,670,302	12,775,143	13,477,317	5.5%

MOTION: To reduce the Budget of Southborough Schools K-8 ($13,477,317) by $200,000 to a new total of $13,277,317 to be raised and appropriated with $350,000 contingent on passage of a budget override at the Annual Town Election.

MOTION VOTED UNANIMOUSLY.
PASSED AT ANNUAL TOWN ELECTION May 9, 2005.
YES: 752 NO: 397

BUDGET NAME	FY2004 ACTUAL	FY2005 BUDGET	FY 2006 REQUEST
ALGONQUIN REGIONAL HIGH SCHOOL			
REGULAR DAY PROGRAMS			
ADMINISTRATION			
BUDGET NAME	**FY2004 ACTUAL**	**FY2005 BUDGET**	**FY 2006 REQUEST**
School Committee	66,727	61,153	59,903
Superintendent's Office	153,421	159,432	159,432
Administrative Support	138,452	144,785	144,785
INSTRUCTION			
Supervision	65,681	68,640	68,640
Principals	554,368	566,244	570,244
Teaching	4,251,501	5,057,170	5,080,440
Professional Development	48,794	53,800	89,300
Textbooks & Materials	217,181	221,690	305,550
Instructional Hardware & Software	9,053	29,600	26,900
Instructional Equipment	25,682	45,400	39,000
Guidance Services	428,992	441,888	442,388
OTHER STUDENT SERVICES			
Testing	2,217	2,600	2,600
Health Services	76,653	82,994	83,694
Transportation	740,261	761,066	764,466
Athletics/Student Body Activities	452,551	467,956	374,122
Other Student Activities	8,004	9,300	9,300
OPERATION AND MAINTENANCE OF BUILDINGS			
Operation of Buildings	577,065	568,398	662,398
Maintenance of Buildings	90,610	105,650	131,650
Payment for Local Northboro Services	72,500	72,500	72,500
Extraordinary Maintenance	0	0	0
Networking & Telecommunications	19,071	26,040	23,040
FIXED CHARGES			
Rentals and Leases	119,896	111,264	111,964
Insurance	1,401,950	1,750,596	1,765,254
Retirement Liability	85,500	121,092	121,092
Debt Service	1,203	0	0
TUITION, OTHER PUBLIC SCHOOLS			
Vocational Education	0	0	0
School Choice	19,836	43,000	25,000
COLLECTIVE BARGAINING			
Collective Bargaining/Transportation Set Aside	0	0	1,822,011
REGULAR DAY PROGRAMS TOTAL	9,627,169	10,972,258	12,955,673

SPECIAL EDUCATION PROGRAMS - CHAPTER 766			
ADMINISTRATION			
Legal Services	1,701	5,000	5,000
INSTRUCTION			
Director	74,796	81,869	81,869
Teaching	346,818	277,836	285,336
Professional Development	1,867	1,600	1,600
Teaching	346,818	277,836	285,336
Instructional Technology	343	1,000	3,500
Psychological Services	62,713	75,632	72,327
OTHER STUDENT SERVICES			
Health Services	0	1,500	1,500
Transportation Within	29,723	47,500	47,500
OPERATION AND MAINTENANCE OF BUILDINGS			
New Equipment	1,255	2,000	4,000
Equipment Maintenance	429	500	500

PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS			
Tuition, Out	383,667	438,368	120,265
Transportation, Out	34,421	55,000	55,000
PROGRAMS, MEMBER OF COLLABORATIVE			
Assabet Collaborative Assessment	0	7,800	7,800
Tuition Out, Collaborative	148,380	156,000	206,009
Transportation Out, Collaborative	16,983	27,000	27,000
SPECIAL EDUCATION - CHAPTER 766 TOTAL	1,103,096	1,178,605	919,206
SUMMARY			
REGULAR DAY PROGRAMS	9,627,169	10,972,258	12,955,673
SPECIAL ED. - CHAPTER 766	1,103,096	1,178,605	919,206
GRAND TOTAL OPERATING BUDGET	10,730,265	12,150,863	**13,874,879**

NORTHBOROUGH-SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2006 BUDGET & ASSESSMENTS – DEPT. OF ED. RECOMMENDED METHOD
PRELIMINARY – 3/3/05

			62.40% Northboro	**37.60% Southboro**
Step 1				
School Committee Recommended Budget (FY 2006)		**13,874,879.00**		
Less Transportation	835,596.00			
SPED Transportation	129,500.00	965,096.00		
Less Fixed Charges		0.00		
Net School Spending		12,909,783.00		
Less Revenues		0.00		
Subtotal		12,909,783.00		
Less Chapter 70 Aid – Preliminary		1,673,670.00		
Less State Ward Reimbursement		0.00		
Net Budget		11,236,113.00		
Step 2				
Minimum Local Contribution required by Ed Reform			**	**
Step 3				
Difference between Min. Contrib. & Net budget balance		11,236,113.00		
Step 4				
Apportion Step 3 amount by agreement			7,011,334.51	4,224,778.49
Step 5				
Transportation Budget	965,096.00			
Less Aid to Transportation Preliminary	428,478.00	536,618.00	334,849.63	201,768.37
Step 6				
Other Operational Costs	0.00			
Less Revenues	0.00	0.00		
Step 7				
Debt Payments Not Exempt from Proposition 2 ½		121,932.30	79,134.06	42,798.24
Step 8				
Total assessments, Minimum local contribution plus apportionment		11,894,663.30		
			7,425,318.20	4,469,345.10
Step 9				
Excess & Deficiency Offset		362,392.00	226,132,61	136,259.39
FY 2006 Assessment Not Exempt from Proposition 2 ½		**11,532,271.30**	**7,199,185.59**	**4,333,085.71**
Step 10				
Debt Payments Exempt from Proposition 2 ½		1,962,712.36	1,273,800.32	688,912.04
Total FY 2006 Assessment		**13,494,983.66**	**8,472,985.91**	**5,021,997.75**

**Information not available from DOE as of January 18, 2005

MOTION: That the Southborough Assessment for Algonquin Regional High School ($5,021,998) be raised and appropriated with $182,500 contingent on passage of a budget override at the Annual Town Election.
MOTION VOTED UNANIMOUSLY.

PASSED AT SOUTHBOROUGH ANNUAL TOWN ELECTION May 9, 2005.
YES: 752 NO: 397

FAILED AT NORTHBOROUGH ANNUAL TOWN ELECTION May 9, 2005.
YES: 1466 NO: 1582

NORTHBOROUGH-SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2006 BUDGET & ASSESSMENTS – DEPT. OF ED. RECOMMENDED METHOD
PRELIMINARY – 3/3/05

Assessment Comparison

Northborough

	Non Exempt	Exempt	Total
FY 2006 Assessment	7,199,185.59	1,273,800.32	8,472,985.91
FY 2005 Assessment	6,386,402.00	1,461,589.00	7,847,991.00
Dollar Increase	812,783.59	-187,788.68	624,994.91
Percent Increase	12.73%	-12.85%	7.96%

Southborough

	Non Exempt	Exempt	Total
FY 2006 Assessment	4,333,085.71	688,912.04	5,021,997.75
FY 2005 Assessment	3,570,593.00	741,575.00	4,312,168.00
Dollar Increase	762,492.71	-52,662.96	709.829.75
Percent Increase	21.35%	-7.10%	16.46%

BUDGET NAME	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 REQUEST	Percent Inc./Decr.
ASSABET VALLEY REGIONAL VOC. SCHOOL				
School Committee	96,933	96,307	98,159	
Superintendent &Business Office	435,868	454,650	465,093	
Instruction Supervision	396,233	407,919	424,304	
Principal Office	140,996	142,474	145,614	
Instruction Supplies	6,466,875	6,606,915	6,808,030	
Textbooks	63,025	45,000	51,500	
Library Services	109,334	109,133	100,071	
Multi-Media	12,500	8,000	8,000	
Guidance Services	411,766	439,200	422,445	
Attendance	24,324	24,418	24,982	
Health Services	76,110	80,368	84,521	
Transportation Contracts	824,144	846,735	883,999	
Transportation Sports-Field Trips	37,326	36,001	37,501	
Athletic Programs	268,556	264,499	274,150	
Student Body Activities	86,020	87,731	88,885	
Operation of Plant	1,215,947	1,232,943	1,265,908	
Maintenance of Plant	304,600	316,208	329,258	
Health-Life-Medicare Insurance	864,195	997,145	1,200,950	
Other Insurances	199,667	213,985	222,575	
Leases of Equipment	25,000	25,000	25,000	
Acquisition of Fixed Assets	168,200	157,000	157,000	
VOCATIONAL DAY OPERATING BUDGET	12,227,619	12,591,631	13,117,945	
Right to Know- Asbestos Audit	10,000	10,000	10,000	
Single Audit Requirement	12,500	15,500	15,500	
RIGHT TO KNOW – AUDIT BUDGET (TOTAL)	22,500	25,500	25,500	
Capital Project Roof (P&I)	0	0	0	
Special Needs	741,875	762,954	873,716	
TOTAL BUDGET	12,991,994	13,380,085	14,017,161	
SOUTHBORO ASSESSMENT	189,119	175,988	175,024	-0.5%

MOTION MADE: That the Town raise a sum of money not to exceed $35,579,537 as may be necessary for the Town's use, and make appropriations for the same.

Transfer from the Cemetery Perpetual Care $15,000.
Transfer from Free Cash $1,464,995
Transfer from the Stabilization Fund $202,046
Transfer from Overlay Reserve $100,000
Transfer from Ambulance Fund, Receipts Reserved (Fund 23) $200,000
Transfer from Septic Betterment fund $35,596
Transfer from Premium Reserve $26,180

That the balance of $33,535,720 be raised and appropriated, with $595,000 contingent on passage of a budget override by a majority vote at the Annual Town Election.
MOTION VOTED UNANIMOUSLY.
PASSED AT ANNUAL TOWN ELECTION May 9, 2005.
YES: 752 NO: 397

Town of Southborough
ANNUAL TOWN MEETING
Adjourned Session Monday, April 11, 2005

ARTICLE 11: To see if the Town will vote to transfer to Surplus Revenue Account (Excess and Deficiency) a sum of money, or do or act anything in relation thereto. (Proposed by the Town Accountant and the Board of Selectmen)

MOTION MADE: That the Town transfer to Surplus Revenue Account (Excess and Deficiency) the following sums:

Article	Purpose	Amount
13-2002	Rent-Senior Center	36.00
	Household Hazardous Waste	626.00
	Police Cruisers	57.00
34-2002	275th Celebration	244.25
29-2004	Ambulance	19,902.60

MOTION VOTED UNANIMOUSLY.

ARTICLE 12: To see if the Town will vote to authorize the establishment of a Capital Improvement Stabilization Fund. The purpose of the fund is to allow the Town to set aside funds from years with lower Capital Improvement requirements for use in years with higher Capital Improvement requirements. (Proposed by the Capital Budget Planning Committee)

MOTION MADE: To postpone indefinitely VOTED UNANIMOUSLY.

ARTICLE 13: To see if the Town will vote to authorize that a sum equal to 4.5% of the previous fiscal years net revenue be dedicated to fund the Capital Improvement requirements of the following fiscal year and that any excess funds be transferred to the Capital Improvement Stabilization Fund for use in years when Capital Improvement requirements exceed available funding. (Proposed by the Capital Budget Planning Committee)

MOTION MADE: To postpone indefinintely VOTED UNANIMOUSLY.

ARTICLE 14: To see if the Town will vote to transfer from the Stabilization Fund a sum of $200,000 to the Capital Improvement Stabilization Fund, or do or act anything in relation thereto. (Proposed by the Capital Budget Planning Committee)

MOTION MADE: To postpone indefinintely VOTED UNANIMOUSLY.

MOTION MADE: To Adjourn Annual Town Meeting to resume Tuesday, April 12, 2005 at 7:30pm.
MOTION VOTED UNANIMOUSLY.

At 11:01pm the Annual Town meeting adjourned.

Town Of Southborough
ANNUAL TOWN MEETING
Adjourned Session Tuesday April 12, 2005

At the Adjourned Session of Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Tuesday, April 12, 2005 at 7:00PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 225 voters were present.

Checkers:

Brenda Gaffney
Janet M.E. Mattioli
Lois W. Denman
Lidia A. Kiley
Linda C. Hubley
Delia Mulvaney

The following were appointed by Moderator John Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:

Howard D. Anderson, Jr.
William J. Boland
Jill E. Trehub
Deborah A. Cote
Lisa D. Cimino
Owen W. Davis

The Town Moderator, John H. Wilson, called the meeting to order at 7:47pm.

Moderator Wilson had requests from the following non-voters to attend the Adjourned Session of Annual Town Meeting. There being no objections from the floor, it was voted to allow the above non-voters to remain:

Brian Ballantine, Treasurer/Collector
Paul T. Cibelli, Principal Assessor
Clare Curran, Library Director
Basilio Diaz, Facilities Manager
Joan Frank, Chairperson, Regional School Committee
Kathryn Garcia, Director of Recreation
Vanessa D. Hale, Assistant Town Administrator
Peter Johnson, Building Inspector
Vera L. Kolias, Town Planner
Dan Landesman, Recreation
Pam LeFrancois, Senior Center Director
Shirley Lundberg, Member, Regional School Committee
Keith Lavoie, Assistant Principal, Trottier
John D. Mauro, Jr., Fire Chief
Robert E. Melican, Superintendent of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Paul C. Pisinski, Public Health Director
Christopher Shanahan, Fire Department
Laurie Sugarman-Whittier, Director of Youth and Family Services
Paul Zarella, Briarwood Company
Lisa Gentes, MetroWest Daily News
Photographer for MetroWest Daily News

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

MOTION MADE: To take **Article 8** off the table.
(Requires 2/3 vote)
MOTION VOTED UNANIMOUSLY.

ARTICLE 8: To see if the Town will accept the provisions of Sections 1, 2 and 3 of Chapter 137 of the Acts of 2003 which was enacted by the Senate and House of Representatives in General Court Assembled, and by authority of the same, as follows:

Section 1. Not withstanding any general or special law to the contrary, an employee in the service of the commonwealth or a county, city or town that accepts this section as provided in this section, including an employee of a school district, who has been granted a military leave of absence because the employee is a member of the army national guard, the air national guard or a reserve component of the armed forces of the United States called to active service in the armed forces of the United States after September 11, 2001, shall be entitled to receive pay at his regular base salary as such a public employee, and shall not lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime. An employee eligible under this section shall be paid his regular base salary as such a public employee for each pay period of such military leave of absence after September 11, 2001, reduced by any amount received from the United States as pay or allowance for military service performed during the same pay period, excluding overtime pay, shift differential pay, hazardous duty pay or any other additional compensation. For the purposes of this section, the "active service" shall not include active duty for training in the army national guard or air national guard or as a reservist in the armed forces of the United States. This section shall take effect in a county, city or town upon its acceptance in a county, by vote of the county commissioners; in a city or town, as provided in section 4 of chapter 4 of the General Laws; and in a regional school district, by vote of the school committee. Nothing in this section shall limit or reduce a person's entitlement to benefits under section 59 of chapter 33 of the General Laws, and nothing in this section shall entitle a person to benefits in excess of the maximum benefit provided under said section 59 of said chapter 33 for any period during which that person is receiving benefits under this section.

Section 2. Notwithstanding any general or special law to the contrary, state agencies and municipal governments may expend in the current fiscal year associated costs incurred in prior fiscal years pursuant to this act.

, or do or act anything in relation thereto. (Proposed by the Director of Veterans Services)

MOTION MADE: To see if the Town will accept the provisions of Sections 1, 2 and 3 of Chapter 137 of the Acts of 2003 which was enacted by the Senate and House of Representatives in General Court Assembled, and by authority of the same, as printed in the warrant.
MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 15: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate $135,000 for the purpose of paying to retirees the amount due for accrued vacation and sick time, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $100,000 to pay retirees the amount due for accrued vacation and sick time.
MOTION CARRIES by MAJORITY VOTE.

ARTICLE 16: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $16,000 to fund ongoing maintenance of the Town House, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $16,000 to fund ongoing maintenance of the Town House.
MOTION VOTED UNANIMOUSLY.

ARTICLE 17: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, the sum of $6,200 to purchase a mailing system, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: To postpone indefinitely VOTED UNANIMOUSLY.

ARTICLE 18: To see if the Town will vote to raise and appropriate or borrow and appropriate, or transfer from available funds and appropriate, the sum of $14,335 to be used as the Southborough portion of the required local match for Year 2 of the Local Connection demand-response transit service provided by the Worcester Regional Transit Authority, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $14,335 to be used as the Southborough portion of the required local match for Year 2 of the Local Connection demand-response transit service provided by the Worcester Regional Transit Authority.
MOTION VOTED UNANIMOUSLY.

ARTICLE 19: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate $20,000 to fund monitoring of the Parkerville Road Landfill, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $20,000 to fund monitoring of the Parkerville Road Landfill.
MOTION VOTED UNANIMOUSLY.

ARTICLE 20: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $250,000 for the maintenance of Town roads, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $250,000 for the maintenance of Town roads.
MOTION VOTED UNANIMOUSLY.

ARTICLE 21: To see if the Town will vote to transfer from available funds and appropriate, the sum of $228,794 in anticipation of reimbursement from the Commonwealth of Massachusetts for Chapter 90 highway improvements, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town transfer from available funds and appropriate the sum of $229,789 in anticipation of reimbursement from the Commonwealth for Chapter 90 highway improvements.
MOTION VOTED UNANIMOUSLY.

ARTICLE 22: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, $120,000 for the purpose of purchasing Public Works Equipment, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate $90,000 and transfer $30,000 from water reserve for a total of $120,000 for the purpose of purchasing Public Works Equipment, with $60,000 being contingent upon passage of a budget override by a majority vote at the Annual Town Election.
MOTION VOTED UNANIMOUSLY.
PASSED AT ANNUAL TOWN ELECTION May 9, 2005.
YES: 752 NO: 397

ARTICLE 23: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate the sum of $80,000 for the installation of an automated entry system for the Transfer Station, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: To Postpone Indefinitely PASSED BY MAJORITY VOTE.

ARTICLE 24: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $30,000 to acquire one new four-door full-size sedan police cruiser and authorize the Board of Selectmen to sell, turn in or otherwise dispose of one police cruiser, or do or act anything in relation thereto. (Proposed by the Police Chief)

MOTION MADE: That the Town raise and appropriate the sum of $30,000 to acquire one new four-door full-size sedan police cruiser and authorize the Board of Selectmen to sell, turn in or otherwise dispose of one police cruiser.
MOTION VOTED UNANIMOUSLY.

ARTICLE 25: To see if the Town will vote to raise and appropriate, or transfer from available funds and appropriate, the sum of $74,000 to upgrade the current radio system, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: That the Town raise and appropriate the sum of $61,409 to upgrade the current radio system.
MOTION VOTED UNANIMOUSLY.

ARTICLE 26: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $15,000 for the purpose of hiring consulting engineers by various Town departments, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $10,000 for the purpose of hiring consulting engineers by various Town departments.
MOTION VOTED UNANIMOUSLY.

ARTICLE 27: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $5,000 for the purpose of maintenance of equipment, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: To Postpone Indefinitely VOTED UNANIMOUSLY.

ARTICLE 28: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $10,000 for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $10,000 for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty.
MOTION VOTED UNANIMOUSLY.

ARTICLE 29: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate the sum of $20,000 to correct environmental problems at the Police Station, or do or act anything in relation thereto. (Proposed by the Police Department and the Facilities Department)

MOTION MADE: That the Town raise and appropriate the sum of $10,000 to correct environmental problems at the Police Station.
MOTION VOTED UNANIMOUSLY.

ARTICLE 30: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate the sum of $10,000 to purchase a truck/van for building repairs and maintenance, or do or act anything in relation thereto. (Proposed by the Facilities Department)

MOTION MADE: That the Town raise and appropriate the sum of $10,000 to purchase a truck/van for building repairs and maintenance.
MOTION VOTED UNANIMOUSLY.

ARTICLE 31: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate the sum of $7,000 for the replacement of Fire Department furniture, or do or act anything in relation thereto. (Proposed by the Fire Department and the Facilities Department)

MOTION MADE: To Postpone Indefinitely VOTED UNANIMOUSLY.

ARTICLE 32: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate the sum of $8,000 for ADA plan implementation, or do or act anything in relation thereto. (Proposed by the Facilities Department)

MOTION MADE: That the Town raise and appropriate the sum of $8,000 for ADA plan implementation.
MOTION VOTED UNANIMOUSLY.

ARTICLE 33: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate the sum of $23,100 for the salary of a thirty hour After School Program Coordinator to the Recreation Commission that has been previously funded at nineteen hours from the Recreation Revolving account, or do or act anything in relation thereto. (Proposed by the Recreation Commission)

MOTION MADE: That the Town to raise and appropriate the sum of $23,100 for the salary of a thirty hour After School Program Coordinator to the Recreation Commission that has been previously funded at nineteen hours from the Recreation Revolving account contingent upon a favorable vote at the annual town election for a Proposition 2 ½ budget override.

MOTION to move the question VOTED UNANIMOUSLY.
Original MOTION FAILS BY MAJORITY VOTE.

ARTICLE 34: To see if the Town will vote to raise and appropriate or transfer from any available funds and appropriate, or borrow and appropriate, the sum of $112,200 for the FY 2006 installment of the multiyear technology update in all Southborough Public Schools, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)

MOTION MADE: That the Town raise and appropriate the sum of $112,200 for the FY 2006 installment of the multiyear technology update in all Southborough Public Schools.
MOTION VOTED UNANIMOUSLY.

ARTICLE 35: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, borrow and appropriate, the sum of $1,665,707 for the FY 2006 installment of the five year renovation project totaling $3,480,732 for the Margaret Neary Elementary School, including the payment of all costs incidental and related thereto, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)
(REQUIRES 2/3 VOTE)
MOTION MADE: To table Article 35 VOTED UNANIMOUSLY.

ARTICLE 36: To see if the Town will vote to approve the borrowing of the sum of $1,782,434 by the Northborough-Southborough Regional School District, as authorized by the District School Committee in accordance with Massachusetts General Laws, Chapter 71, Section 16(d), as amended, for the purpose of raising additional funds to complete the Algonquin Regional High School addition/renovation construction project; provided that this approval shall be contingent upon a favorable vote at a Town election to exclude the Town's allocable share of this borrowing by the District from the limitations of Proposition 2 ½, so-called, or do or act anything in relation thereto. (Proposed by the Northborough-Southborough Regional School Committee)

MOTION MADE: That the Town vote to approve the borrowing by the Northborough-Southborough Regional School District of $1,449,684 and appropriate this sum, as authorized by the District School Committee in accordance with the Massachusetts General Laws, Chapter 71, Section 16(d), as amended, for the purpose of raising additional funds to complete the Algonquin Regional High School addition/renovation construction project, contingent on a favorable Proposition 2 ½ debt exclusion vote at the Annual Town Election.

AMENDMENT TO MOTION: to Amend the motion by striking the sum of $1,449,684 and replacing it with $1,661,684.
AMENDMENT PASSED UNANIMOUSLY.
MOTION with AMENDMENT PASSED BY MAJORITY VOTE.
PASSED AT SOUTHBOROUGH ANNUAL TOWN ELECTION May 9, 2005.
YES: 759 NO: 381
PASSED AT NORTHBOROUGH ANNUAL TOWN ELECTION May 9, 2005.
YES: 1,544 NO: 1,502

MOTION MADE: To take Article 35 from the Table VOTED UNANIMOUSLY.
(REQUIRES 2/3 VOTE)

ARTICLE 35: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, borrow and appropriate, the sum of $1,665,707 for the FY 2006 installment of the five year renovation project totaling $3,480,732 for the Margaret Neary Elementary School, including the payment of all costs incidental and related thereto, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)
MOTION MADE: That the Town vote to borrow and appropriate the sum of $450,000 for renovations at the Margaret Neary Elementary School provided that town's approval should be contingent upon a favorable vote at a Town Election to exclude this borrowing from the limitations of proposition 2 ½.
(REQUIRES 2/3 VOTE)
MOTION: PASSED UNANIMOUSLY.
PASSED AT SOUTHBOROUGH ANNUAL TOWN ELECTION May 9, 2005.
YES: 727 NO: 411

ARTICLE 37: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money for remodeling, reconstructing, adding to or making extraordinary repairs to Fire Station 2 located at 2 Harrington Court, including costs incidental and related thereto, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: To Postpone Indefinitely VOTED UNANIMOUSLY.

ARTICLE 38: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, a sum of money to hire sufficient on-duty, full-time employees to staff Fire Headquarters and Station 2, or do or act anything in relation thereto. (Proposed by the Fire Chief)

MOTION MADE: To Postpone Indefinitely VOTED UNANIMOUSLY.

ARTICLE 39: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, § 174-13, Landscaping, subsections A through K striking those subsections in their entirety and inserting in place thereof the following:

A. Purpose and Applicability

(1) Purpose - The purpose of this section is to preserve and protect the community's ecological resources and to improve the appearance, environment, character, and value of the total community; and to protect nearby properties, thereby promoting the public health, safety and general welfare. It is intended to establish minimum standards for the design of landscapes for all land development projects requiring Planning Board approval. This section also ensures that any development will make landscaping an integral part of that plan.

(2) Applicability – The requirements of this section shall apply as specified below to any new building, addition, or change of use in an existing structure that requires a parking increase of five (5) or more spaces, or is subject to Site Plan Review by the Planning Board. In performing site plan review under §174-10, the Planning Board may authorize alternatives to the following specifications, taking into consideration existing vegetation, topography, soils and other site conditions, provided that equivalent screening, shading and articulation are achieved.

(3) Exceptions - The requirements of this section do not apply to developments or renovations in the Business Village District. However, the Planning Board may require landscaping as part of the site plan or special permit application within the Business Village District.

B. Landscape Standards and Specifications.

1. All submissions for projects subject to this section shall include a comprehensive landscape plan and planting schedule.
2. The developer shall furnish and install all plant materials listed on the approved landscaping plan.
3. Plant materials shall conform to the requirements described in the latest edition of *American Standard for Nursery Stock*, which is published by the American Association of Nurserymen.
4. Shade trees must be a minimum of three (3) inches in caliper six (6) inches above grade, be of a species common in the area and be ones which reach an ultimate height of at least thirty (30) feet. Ornamental trees must be a minimum of eight (8) feet at the time of planting. (Eight (8) feet from the top of the root ball to the top of the tree). Shrubs must be at least thirty-six (36) inches in height at the time of building occupancy, reach an ultimate height of at least five (5) feet and be of a species common in the area.
5. Do not use staking materials unless absolutely necessary. If staking is necessary, then the developer/property owner must remove staking materials after onefull growing season.
6. Property owners ensure the survival and health of required trees. If any plant material dies, the property owner must replace it within one hundred eighty (180) days.
7. All plant materials required by this chapter shall be maintained in a healthful condition. Any and all fences required for screening shall be properly maintained.
8. All planting areas shall be mulched with a three (3) to four (4) inch layer of bark mulch or other similar material to cover the complete planting area. However, in no case shall more than 25% of the planting area be strictly bare mulch.
9. A permanent water supply system, or other acceptable watering method, shall be provided for all planting areas. In order to protect the Town's water supply, and encourage sound landscaping practices, the Town of Southborough recommends sustainable watering systems, such as: rainwater recycling systems, automatic shut-off devices, drought-tolerant native plant material, and careful irrigation scheduling, among others.

Plantings shall consist of at least one (1) tree per forty (40) linear feet of planting area length, except one (1) tree per twenty (20) linear feet of street planting area abutting Route 9, and at least one (1) shrub per three (3) feet. Plantings preferably will be grouped, not evenly spaced, and shall be located or trimmed to avoid blocking egress visibility. The planting area shall be unpaved except for access drives and walks essentially perpendicular to the area and shall be located wholly within the lot.

Applicants are encouraged to specify salt-tolerant species for street trees to prevent early plant loss due to winter road salt.

Invasive plants, as defined by the Massachusetts Invasive Plant Group, are "plants that have spread into native or minimally managed plant systems in Massachusetts. These plants cause economic or environmental harm by developing self-sustaining populations and becoming dominant and/or disruptive to those systems." (Under this definition all synonyms, species, subspecies, varieties, forms, and cultivars of that species are included unless proven otherwise by a process of scientific evaluation.) The Town of Southborough encourages the use of native species in all landscaping plans. Please note that many of the invasive species listed below have native counterparts that could be considered.

The following invasive species of plants are prohibited from being planted:

Ailanthus altissima	**Tree of heaven**
Berberis thunbergii	**Japanese barberry**
Celastrus orbiculatus	**Asian or, Asiatic bittersweet, oriental bittersweet**
Elaeagnus umbellata	**Autumn olive**
Frangula alnus	**European buckthorn, glossy buckthorn**
Lonicera x bella Zabel [morrowii x tatarica]	**Bell's honeysuckle**
Lonicera japonica	**Japanese honeysuckle**
Lonicera morrowii	**Morrow's honeysuckle**
Lythrum salicaria	**Purple loosestrife**
Phragmites australis (Ceav.) Trin. ex Steud.	**common reed**
Rhamnus cathartica	**Common buckthorn**
Robinia pseudoacacia	**Black locust**
Rosa multiflora	**Multiflora rose**

Acer platanoides	**Norway maple**
Acer pseudoplatanus	**Sycamore maple**
Euonymus alatus	**Burning bush**
***Ligustrum* species**	**Privet**
Spriaea japonica	**Japanese spirea**

C. Street planting area. Street planting is required for all nonresidential premises. Street plantings at the front of lots shall contribute to the creation of an impression of a separation of the street and the developed area of the site without necessarily eliminating visual contact between them. Street plantings adjoining or facing residential uses or residential zoning districts shall provide the strongest possible visual barriers between uses at the pedestrian level and a sense of separation. A landscaped buffer strip shall be a minimum of fifteen (15) feet in depth. The Planning Board may reduce or modify this requirement if in their judgment, strict compliance would create a substantial hardship due to existing conditions such as lot size, location of existing buildings, or environmental conditions. Also refer to subsection H. Existing vegetation.

D. Side and rear line planting area. A landscape buffer strip a minimum of ten (10) feet in width shall abut all side and rear property lines.

E. Vehicular use area plantings. All new or expanded parking lots of five (5) or more spaces shall be required to comply with this Section. If an existing parking lot is expanded or improved to increase the number of spaces by five (5) or more, it shall comply with this Section within the expanded or improved portion.

1. Trees shall be planted at a rate of two (2) shade trees or three (3) ornamental trees for every ten (10) spaces or fraction thereof.
2. Required trees shall be located within or adjacent to parking lots as tree islands, medians, and at the end of parking bays, traffic delineators, or between rows of parking spaces in a manner such that no parking space is located more than sixty (60) feet from a tree.
3. Planting areas within parking areas shall provide a minimum of eighty-one (81) square feet per tree with a minimum inside dimension of nine (9) feet and a minimum prepared depth of eighteen (18) inches.

The exterior perimeter of all vehicular use areas shall be planted with a buffer strip at least five (5) feet in width, excluding accessways. Any vehicular use area abutting a lot that is residentially used or zoned shall be planted with a buffer strip at least ten (10) feet in width and shall be supplemented with an opaque fence or wall at least six (6) feet high, unless there is vegetation sufficiently dense to effectively obscure vision. Trees and soil plots shall be so located as to provide visual relief and wind interruption within the parking area and to assure safe patterns of internal circulation.

Ratios of Parking Spaces to Trees (choose one (1) column of trees only)

# of Parking Spaces	# of Shade Trees	or # of Ornamental Trees	or # of Mixed
10	2	3	3
15	3	5	4
20	4	6	5
25	5	8	6
30	6	9	7
35	7	11	8
40	8	12	9
45	9	14	10
50	10	15	11
55	11	17	13
60	12	18	14
65	13	20	15
70	14	21	16
75	15	23	18
80	16	24	19
85	17	26	20
90	18	27	21
95	19	29	23
100	20	30	24

To determine the number of trees needed for a number of parking spaces not shown on the chart above, use the following formulas (choose (1) only):

Shade trees:	# of spaces x 20%
Ornamental trees:	# of spaces x 30%
Mix of both:	# of spaces x 25%

F. Zoning District boundary planting area. A landscaped buffer strip, a minimum of twenty (20) feet in width is required on any nonresidential premises along the full length of any boundary abutting property that is residentially used or zoned except that in the Industrial Park District (IP) the buffer strip shall be a minimum of fifty (50) feet in width. The buffer strip shall contain existing vegetation and/or plantings that are sufficiently dense to adequately screen adjacent residential properties.

G. Berms. When berms are used to meet the requirements for a buffer strip, they shall be planted with living vegetation. The minimum top width shall be five (5) feet with a minimum slope of 3:1. In no case shall more than 25% of the berm planting area be strictly bare mulch or non-living material.

H. Existing vegetation. Wherever possible, the above requirements shall be met by retention of existing plants. If located within twenty-five (25) feet of a street, no existing tree of six (6) inches in caliper or greater [measured four (4) feet above grade], dense hedgerow of four (4) or more feet in both depth and height or existing earth berm providing similar visual screening shall be removed or have grade changed more than one (1) foot unless dictated by public health, access safety or identification of the premises.

I. Exceptions. Where plant materials as required would harmfully obstruct a scenic view, substitution of additional low level plantings which will visually define the street edge or property line may be authorized, provided that proposed buildings are also designed and located to preserve that scenic view.

J. Site distance restrictions. When an accessway intersects a public street or another access way, required plantings shall conform to the requirements of unobstructed site distance as outlined in the parking and loading regulations (§ 174-12F).

K. Nonconforming landscaping and screening.

(1) Any improvement along the property boundary, including landscaping, screening and fencing, legally erected and conforming to the requirement of this chapter when so erected, may continue to be maintained, even though as a result of changes to this chapter the boundary improvements no longer conform to its requirements, provided that such boundary improvements shall not be enlarged, redesigned or altered except so as to make them conform to said requirements, and further provided that any such boundary improvements which have been destroyed or damaged to such an extent that the cost of restoration would exceed fifty percent (50%) of the replacement value of the boundary improvements at the time of destruction or damage, shall not be repaired, rebuilt or altered, except so as to make said boundary improvements conform to the requirements of this chapter.

(2) The exemption for nonconforming landscaping and screening herein granted shall terminate with respect to any boundary improvements which shall:

(a) Have been abandoned; or

(b) Not have been repaired or properly maintained for at least sixty (60) days after written notice to that effect has been given by the Building Inspector.

, or do or act anything in relation thereto. (Proposed by Planning Board)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, Section 174-13, Landscaping as printed in the Warrant.
(REQUIRES 2/3 VOTE)
MOTION VOTED UNANIMOUSLY.
Approved by the Attorney General on May 11, 2005.

ARTICLE 40: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, by inserting a new section entitled § 174-12.1, Outdoor Illumination, to read as follows:

A. Purpose. This section recognizes the benefits of outdoor lighting and provides clear guidelines for its installation, so as to help maintain and compliment Southborough's character. The intent of this section is to encourage lighting that provides safety, utility and security; prevent glare on public roadways; protect the privacy of residents; promote energy-efficient outdoor lighting; limit the total allowable illumination of lots located in the Town of Southborough; and to reduce atmospheric light pollution. Appropriately regulated, and properly installed, outdoor lighting will contribute to the safety and welfare of the residents of the Southborough.

B. Applicability. Outdoor illumination by flood or spot luminaries rated at nine hundred (900) lumens or more (which is approximately equal to one 60-watt incandescent light bulb) or by any other luminaires rated at one thousand eight hundred (1800) lumens or more (which is approximately equal to one 120-watt incandescent light bulb) shall be subject to the provisions of this Section, with the following exceptions: emergency lighting; hazard warning; temporary decorative or holiday lighting or public roadway illumination. It shall also not apply to any luminaire intended solely to illuminate any freestanding sign, flag or the walls of any building but such luminaire shall be shielded so that its direct light is confined to the surface of such sign, flag or building.

The replacement of existing fixtures shall be subject to the provisions of this Section; however, the replacement of existing nonconforming lamps or fixtures with the same or lower output nonconforming lamps or fixtures is exempted.

The Planning Board in performing review pursuant to Section 174-10, Site plan approval, may determine that special circumstances of the site, context or design make an alternative lighting design at least equally effective in meeting the purposes of this Section and in such cases, may modify the requirements of this Section.

C. Definitions. For the purposes of this Section, the following terms shall be defined as indicated below. Although set forth here for convenience, the terms shall have the same effect as if set forth in Section 174-2 of this Bylaw.

Fixture: The assembly that houses a lamp or lamps, and which may include a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor, lens or diffuser lens.

Full Cutoff: A luminaire designed with an opaque shield surrounding and extending below the lamp, such that no direct light is emitted above a horizontal plane.

Glare: Light emitted from a luminaire with intensity great enough to produce annoyance, discomfort or a reduction in a viewer's ability to see, and in extreme cases causing momentary blindness.

Lamp: The component of a luminaire that produces the actual light.

Light Trespass: The shining of direct light produced by a luminaire beyond the boundaries of the lot on which it is located.

Lumen: A measure of light energy generated by a light source. One foot candle is one lumen per square foot. For purposes of this Bylaw, the lumen output shall be the initial lumen output of a lamp, as rated by the manufacturer.

Luminaire: A complete lighting system, including a lamp or lamps and a fixture.

D. Exterior Lighting Plan. Applications subject to the provisions of Section 174-10, Site plan approval, shall submit a lighting plan which shall include the following information, except to the extent waived by the Planning Board. All other lighting not subject to the provisions of said Section 174-10 does not require a lighting plan but shall meet the standards as set forth in this Section, unless as may otherwise be provided herein. The lighting plan shall include the following information:

- location, orientation and type of outdoor luminaire, including the height of the luminaire, both existing and proposed;
- luminaire manufacturer's specification data, including lumen output and photometric data showing cutoff angles, as well as a description of all illuminating devices, fixtures, lamps, supports, reflectors, both existing and proposed; this may include but is not limited to, catalog cuts and illustrations by manufacturers;
- type of lamp such as metal halide, compact fluorescent, high pressure sodium;
- photometric plan showing the intensity of illumination expressed in footcandles at ground level within the interior of the property and at the property boundaries;
- evidence that the plan complies with light trespass restrictions as set forth herein.

E. Flickering and Flashing Lights. No flickering or flashing lights shall be permitted. Processes, such as arc welding, which create light flashes shall be confined within buildings or shielded to prevent either direct glare or flashing.

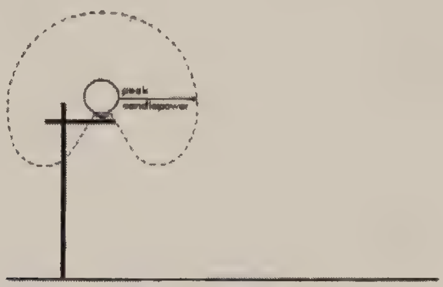
F. Wall Mounted Fixtures. In Nonresidential Districts, a luminaire attached to the exterior of a building or structure for area lighting shall be mounted no higher than fifteen (15) feet above grade and shall be shielded to control glare. "Wal-pac" lighting fixtures are prohibited.

G. Pole Mounted Fixtures. Pole mounted exterior lighting fixture types are defined and restricted as follows:

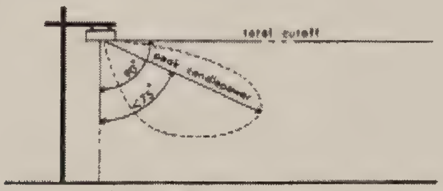
Type A. No light cutoff.
Type B. Luminaire shielded such that peak candlepower is at an angle of 75 degrees or less from straight down, and essentially no light is emitted above the horizontal.
Type C. Luminaire shielded such that total cutoff is at less than 90 degrees from straight down, and no light source is in direct view of an observer five (5) feet above the ground at any point off the premises.

H. Pole Mounted Fixtures Height Limitation. Illustrations of pole mounted exterior lighting fixture types are shown in Chart I herein. Pole mounted fixtures shall not exceed the applicable pole mounted height limitation set forth in Chart II in any district. The Type A pole mounted exterior lighting fixture is prohibited in all Nonresidential Districts, unless equipped with shields.

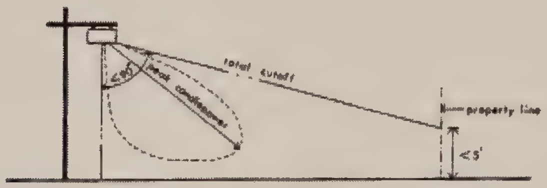
CHART I. ILLUSTRATIONS



TYPE A: NO CUTOFF LUMINAIRE



TYPE B: 90° CUTOFF LUMINAIRE



TYPE C: LUMINAIRE WITH LESS THAN 90° CUTOFF

CHART II. POLE MOUNTING HEIGHT LIMITATIONS

	District	
	Residential	Nonresidential
	Maximum Luminaire Mounting Height (feet above grade)* “District” is that in which fixtures are located.	
Fixture Type A	10	Not allowed (unless shielded)
Fixture Type B	15	20
Fixture Type C	20	20

*Feet above grade refers to the overall average grade of the area being illuminated.

I. Ceiling Mounted Fixtures. In Nonresidential Districts, luminaires mounted on an exterior ceiling such as under a canopy shall be mounted with the refractor or lens flush with or recessed in the ceiling or fixture.

J. Lighting Levels. Any luminaire with a lamp or lamps rated at a total of one thousand eight hundred (1800) lumens or more (which is approximately equal to one 120-watt incandescent light bulb) and all flood or spot luminaires rated at nine hundred (900) lumens or more (which is approximately equal to one 60-watt incandescent light bulb), shall not emit any direct light above a horizontal plane through the lowest direct-kight-emitting part of the luminaire. If any spot or flood luminaire rated 900 lumens or less is directed or focused such as to cause direct light from the luminaire to be cast toward residential buildings on adjacent or nearby land, or to create glare perceptible to persons operating motor vehicles on public ways, the luminaire shall be redirected or its light output controlled as necessary to eliminate such conditions.

The Planning Board reserves the right to limit and regulate the amount of illumination on a project site between the hours of 10:00 p.m. and 6:00 a.m., while understanding the need for safety and security lighting.

K. Light Trespass Limitations. There shall be no light trespass by a luminaire beyond the property boundaries of the lot on which it is located, except as within a street right of way for which there shall be no limit.

, or do or act anything in relation thereto. (Proposed by Planning Board)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, by inserting a new section entitled, Section 174-12.1, Outdoor Illumination as printed in the Warrant.
(REQUIRES 2/3 VOTE)
MOTION VOTED UNANIMOUSLY.
Approved by the Attorney General on May 11, 2005.

ARTICLE 41: To see if the Town will vote to accept as a public way Joslin Lane, together with easements for drainage, access, egress and utilities described on a plan entitled "Roadway Acceptance Plan of Joslin Lane and Witherbee Lane in Southborough, MA." prepared by Connorstone Consulting Engineers, dated February 20, 2004, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Joslin Lane, together with easements for drainage, access, egress and utilities.
MOTION VOTED UNANIMOUSLY.

ARTICLE 42: To see if the Town will vote to accept as a public way Witherbee Lane, together with easements for drainage, access, egress and utilities described on the plans entitled "Roadway Acceptance Plan of Joslin Lane and Witherbee Lane in Southborough, MA." prepared by Connorstone Consulting Engineers, dated February 20, 2004, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That The Town accept as a public way Witherbee Lane, together with easements for drainage, access, egress and utilities.
MOTION VOTED UNANIMOUSLY.

ARTICLE 43: To see if the Town will vote to accept as a public way Fiddleneck Lane, together with easements for drainage, access, egress, utilities, and open space as described on a plan entitled "Roadway Acceptance Plan of Fiddleneck Lane in Southborough, MA" prepared by Connorstone Consulting Civil Engineers and Land Surveyors, dated December 31, 2004, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Fiddleneck Lane, together with easements for drainage, access, egress, utilities and open space.
MOTION VOTED UNANIMOUSLY.

ARTICLE 44: To see if the Town will vote to accept as a public way Kallander Drive described on a plan entitled "Acceptance Plan of Kallander Drive in Southborough, MA" prepared by Thomas Land Surveyors & Engineering Consultants, Inc., dated January 7, 2005, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way Kallander Drive.
MOTION VOTED UNANIMOUSLY.

ARTICLE 45: To see if the Town will vote to accept as a public way a portion of Meadow Lane described on the plans entitled "Acceptance Plan of Meadow Lane in Southborough, MA prepared by Thomas Land Surveyors & Engineering Consultants, Inc., dated January 7, 2005, plans are on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept as a public way a portion of Meadow Lane.
MOTION CARRIES BY MAJORITY.

ARTICLE 46: To see if the Town will vote to accept an easement on Darlene Drive described as an easement for access, egress and the installation and maintenance of utilities, as shown and depicted on a Plan of Land entitled "Plan of Land in Southborough, Mass.; Scale 1" = 50'; Date: December 3, 1998, Last Revised: January 4, 1999; Prepared By Engineering Design Consultants, Inc." Said Plan being recorded in Worcester District Registry of Deeds in Plan Book 740 as Plan 105, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept an easement on Darlene Drive described as an easement for access, egress and the installation and maintenance of utilities as shown and depicted on a Plan of Land entitled "Plan of Land in Southborough, Mass.; Scale 1" = 50'; Date: December 3, 1998, Last Revised: January 4, 1999; Prepared by Engineering Design Consultants, Inc." Said Plan being recorded in Worcester District Registry of Deeds in Plan Book 740 as Plan 105.
MOTION VOTED UNANIMOUSLY.

ARTICLE 47: To see if the Town will vote to accept a gift of land on Darlene Drive described as Lot 29D as shown and depicted on a Plan of Land entitled "Plan of Land in Southborough, Mass.; Scale 1" = 50'; Date: December 3, 1998, Last Revised: January 4, 1999; Prepared By Engineering Design Consultants, Inc." Said Plan being recorded in Plan Book 740 as Plan 105. Parcel 29D contains 15,209 ± square feet (0.35 ± acres). Parcel 29D shall be subject to the following restrictions, as noted on the above-referenced plan: said lot 29D shall be restricted for open space and/or public utilities use only (i.e. pedestrian path, water line) and any change in such use would require Planning Board approval and a public hearing pursuant to the applicable provisions of the Mass Gen. Laws or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town accept a gift of land on Darlene Drive described as Lot 29D as shown and depicted on a Plan of Land entitled "Plan of Land in Southborough, Mass.: Scale 1" = 50'; Date: December 3, 1998, Last Revised: January 4, 1999; Prepared By Engineering Design Consultants, Inc." Said Plan being recorded in Plan Book 740 as Plan 105. Parcel 29D contains 15,209 ± square feet (0.35 ± acres). Parcel 29D shall be subject to the following restrictions, as noted on the above-referenced plan: said lot 29D shall be restricted for open space and/or public utilities use only (i.e. pedestrian path, water line) and any change in such use would require Planning Board approval and a public hearing pursuant to the applicable provisions of the Mass Gen. Laws.
MOTION VOTED UNANIMOUSLY.

ARTICLE 48: To see if the Town will vote to authorize the municipality to enter into an intermunicipal joint purchasing agreement pursuant to M.G.L. Ch. 40 §4A for the provision of technology solutions and related consulting and support services with the Community Software Consortium, preserving the rights and privileges established in prior agreement(s). The duration of this agreement, in accordance to statue, shall be for no more than 25 years, with the ability of the community to withdraw from this agreement at any time. The annual obligation of the Board of Selectmen and Board of Assessors under this agreement will be paid from the participating departments' expense appropriations. The annual obligation is determined by membership vote pursuant to the consortium's bylaws. ,or do or act anything in relation thereto. (Proposed by the Board of Assessors)

MOTION MADE: That the Town authorize the municipality to enter into an inter-municipal joint purchasing agreement pursuant to M.G.L. Chapter 40, §4A for the provision of technology solutions and related consulting and support services with the Community Software Consortium, preserving the rights and privileges established in prior agreements(s), as printed in the Warrant.
MOTION VOTED UNANIMOUSLY.

ARTICLE 49: To see if the Town will vote to accept the report of the Community Preservation Committee for the Fiscal Year 2004 Community Preservation Budget and to appropriate or reserve from Community Preservation Fund annual revenues or available funds a sum or sums of money to the following CPC accounts: Open Space, Historic Resources and Community Housing, or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: to discuss Article 49 and Article 50 together VOTED UNANIMOUSLY.

MOTION MADE: That the Town accept the report of the Community Preservation Committee for the Fiscal Year 2004 Community Preservation Budget and to appropriate or reserve from Community Preservation Fund annual revenues or available funds a sum of money to the following CPC accounts: Open Space, Historic Resources and Community Housing.
MOTION VOTED UNANIMOUSLY.

ARTICLE 50: To see if the Town will vote to accept the report of the Community Preservation Committee for the 2004 Community Preservation Budget and that the Town appropriate from the Community Preservation Fund's 2004 annual revenues the amounts recommended by the Community Preservation Committee for community preservation projects, with each item to be considered a separate appropriation as follows:

Open Space GIS Data Layer	$ 9,800.00
Update Open Space and Recreation Plan	$ 5,500.00
Reserved for Open Space	$ 5,739.84
Reserved for Historic Resources	$18,289.84
Reserved for Community Housing	$18,289.84

,or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: That the Town vote to accept the report of the Community Preservation Committee for the 2004 Community Preservation Budget and that the Town appropriate from the Community Preservation Fund's 2004 annual revenues the amounts recommended by the Community Preservation Committee for community preservation projects, with each item to be considered a separate appropriation as follows:

Open Space GIS Data Layer	$ 9,800.00
Update Open Space and Recreation Plan	$ 5,500.00
Reserved for Open Space	$ 5,739.84
Reserved for Historic Resources	$18,289.84
Reserved for Community Housing	$18,289.84

MOTION VOTED UNANIMOUSLY.

ARTICLE 51: To see if the Town will vote to accept the report of the Community Preservation Committee for the Fiscal Year 2006 Community Preservation Budget and to appropriate or reserve from Community Preservation Fund annual revenues or available funds a sum or sums of money to the following CPC accounts: Open Space, Historic Resources and Community Housing, or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: To discuss Article 51 and Article 52 together VOTED UNANIMOUSLY.

MOTION MADE: That the Town vote to accept the report of the Community Preservation Committee for the Fiscal Year 2006 Community Preservation Budget and to appropriate or reserve from Community Preservation Fund annual revenues or available funds a sum of sums of money to the following CPC accounts: Open Space, Historic Resources and Community Housing.
MOTION VOTED UNANIMOUSLY.

ARTICLE 52: To see if the Town will vote to act upon the recommendations of the Community Preservation Committee and to set aside for later expenditure, certain sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the Massachusetts General Laws, as follows, or take any other action relative thereto:

Set Aside- Open Space
$41,230.60 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for acquisition, creation or preservation of open space, and for the rehabilitation and/or restoration of open space acquired under the Community Preservation Act.

Set Aside – Historic Preservation
$41,230.60 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for the acquisition, preservation, rehabilitation and/or restoration of historic resources.

Set Aside – Community Housing
$41,230.60 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for the creation, preservation and support of community housing, and for the rehabilitation and/or restoration of community housing acquired under the Community Preservation Act.

Administrative Costs – Community Preservation Committee
$20,615.30 to defray the administrative and operating expenses of the Community Preservation Committee.
Reserved For Community Preservation Fund (discretionary) $267,998.90
, or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: That the Town vote to act upon the recommendation of the Community Preservation Committee and to set aside for later expenditure, certain sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the Massachusetts General Laws, as follows, or take any other action relative thereto as printed in the Warrant.
MOTION VOTED UNANIMOUSLY.

ARTICLE 53: To see if the Town will vote to amend the bylaws to establish fines for the illegal disposal of material on public or private property in violation of Mass. General Laws, Chapter 270, sec.16 and other federal, state or town laws or regulations, or take any action related thereto. The illegal disposal is subject to a fine of $500 to be paid by the party committing the violation.

Fines will be paid within 30 days of when notification is sent by the Board of Selectmen. Fines not paid within 30 days will be considered delinquent. The Southborough Board of Selection will govern the process for administration of fines.
Fines may be appealed to the Southborough Board of Selectman within 30 days of when the notification is sent by the Town of Southborough.

The Board of Selectmen shall have authority to modify or repeal fines. Violators will have 10 days to pay said fines if notified by the Selectmen that the appeal has been denied. A fine cannot be considered delinquent while an appeal is pending with the Board of Selectmen.

The Town of Southborough will not issue Transfer Station stickers to individuals with delinquent fines.
, or do or act anything in relation thereto. (Proposed by the Recycling Committee)
MOTION MADE: To postpone Indefinitely VOTED UNANIMOUSLY.

ARTICLE 54: To see if the Town will vote to amend Chapter 36 of the Code of the Town of Southborough entitled 'Selectmen' by adding a new Article III entitled, "Transfer Station, Violations and Fines" as follows:

Stickers Required

§ 36-6 Pursuant to the duly promulgated Rules and Regulations of the Board of Selectmen, valid transfer station stickers will be required for all residents utilizing the transfer station and its related facilities.

Rules and Regulations Violations

§ 36-7 Failure to adhere to the provisions of the Selectmen's Rules and Regulations, as duly posted at the Transfer Station, will result in the issuance of a warning letter from the Superintendent of the Department of Public Works.

§ 36-8 Subsequent violations of the Rules and Regulations at the Transfer Station, after a warning letter has been issued will result in a $100 fine for each subsequent violation. Anyone who utilizes the Transfer Station without a valid transfer station sticker shall be subject to a $250 fine for each offense. Fines shall be paid within thirty (30) days on notification from the Board of Selectmen.

Appeal to the Board of Selectmen

§ 36-9 The Board of Selectmen will govern the process for administrating the imposition of fines, which may be appealed to the Board of Selectmen within thirty (30) days of the date of notification by the Town. After due notice and hearing, the Selectmen shall have the authority to uphold, modify or repeal any such fine imposed. No fine will be delinquent while an Appeal is pending before the Board. Violators shall have ten (10) days to pay said fines if notified by the Selectmen that the Appeal has been denied. No transfer station sticker will be issued to residents with delinquent fines.

Police Department Enforcement

§ 36-10 The Police Department is further authorized to prosecute any delinquent unpaid fines pursuant to the applicable provisions of state statute.

,or do or act anything in relation thereto. (Proposed by the Recycling Committee)

MOTION MADE: That the Town vote to amend Chapter 36 of the Code of the Town of Southborough entitled 'Selectmen' by adding a new Article III entitled, 'Transfer Station, Violations and Fines' as printed in the Warrant.
(REQUIRES 2/3 VOTE)
MOTION VOTED UNANIMOUSLY.

Approved by the Attorney General on May 11, 2005.

ARTICLE 55: To see if the Town will vote to authorize the Board of Selectmen to enter into a contract for the disposal of Solid Waste pursuant to Massachusetts General Laws, Chapter 30B, Section 12(f), for a term not to exceed twenty years, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town vote to authorize the Board of Selectmen to enter into a contract for the disposal of Solid Waste pursuant to Massachusetts General Laws, Chapter 30B, Section 12(f), for a term not to exceed twenty years.
MOTION VOTED UNANIMOUSLY.

ARTICLE 56: To see if the Town will vote to accept from the Massachusetts Bay Transportation Authority certain parcels of land, with improvements thereon, in Southborough, Worcester County, Massachusetts, shown as Parcel S-3 on a plan entitled "Land Acquisition Plan, Town of Southborough, Worcester County, Massachusetts", recorded in Worcester County Registry of Deeds at Plan Book 759, Plan 84, shown as Parcels S-15, S-16, and S-18 on a plan entitled "Land Acquisition Plan, Town of Southborough, Worcester County, Massachusetts", recorded in Worcester County Registry of Deeds at Plan Book 759, Plan 85, and shown as Parcels S-21, and S-22 on a plan entitled "Land Acquisition Plan, Town of Southborough, MA, Worcester County", recorded in Worcester County Registry of Deeds at Plan Book 781, Plan 22, subject to easements, restrictions, reservations and eminent domain takings by third parties of record insofar as in force and effect, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town vote to accept from the Massachusetts Bay Transportation Authority certain parcels of land, with improvements thereon, in Southborough, Worcester County, Massachusetts, shown as Parcel S-3 on a plan entitled "Land Acquisition Plan, Town of Southborough, Worcester County, Massachusetts," recorded in Worcester County Registry of Deeds at Plan Book 759, Plan 84, shown as Parcels S-15, S-16, and S-18 on a plan entitled "Land Acquisition Plan, Town of Southborough, Worcester County, Massachusetts," recorded in Worcester County Registry of Deeds at Plan Book 759, Plan 85, and shown as Parcels S-21, and S-22 on a plan entitled "Land Acquisition Plan, Town of Southborough, MA, Worcester County," recorded in Worcester Country Registry of Deeds at Plan Book 781, Plan 22, subject to easements, restrictions, reservations and eminent domain takings by third parties of record insofar as in force and effect.
MOTION VOTED UNANIMOUSLY.

ARTICLE 57: To see if the Town will vote to amend Article 2 of the Special Town Meeting of Saturday, November 10, 2001 and insert the words "or property rights" after the words real property to read as follows:

To see if the Town will authorize the borrowing of the balance of five million ($5,000,000) four million seven hundred sixty thousand ($4,760,000) for the purpose of purchasing real property or the property rights for the sole or exclusive use of open space, conservation land, or land subject to conservation restrictions so that it can only be used for conservation purposes, or do or act anything in relation thereto. (Proposed by Board of Selectmen)

MOTION MADE: That the Town vote to amend Article 2 of the Special Town Meeting of Saturday, November 10, 2001 and insert the words "or property rights" after the words real property to read as follows:

> To see if the Town will authorize the borrowing of the balance of five million ($5,000,000) four million seven hundred sixty thousand ($4,760,000) for the purpose of purchasing real property or the property rights for the sole or exclusive use of open space, conservation land, or land subject to conservation restrictions so that it can only be used for conservation purposes.

(REQUIRES 2/3 VOTE)
MOTION VOTED UNANIMOUSLY.

Because of scrivener's (typographical error) Article 57 and the Motion under Article 57, should read: [To Amend Article 3 of the Special Town Meeting of Saturday Nov. 10, 2001].

ARTICLE 58: To see if the Town will vote to establish and authorize the use of a revolving fund account pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½ for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town renew a revolving fund established under Chapter 44, Section 53 E ½, "An Act Authorizing Cities and Towns to Establish Certain Revolving Funds," a revolving fund for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant willauthorize expenditures from this revolving fund.
MOTION VOTED UNANIMOUSLY.

ARTICLE 59: To see if the Town will vote to delete Chapter 133 and amend the Code of the Town of Southborough by inserting a new Chapter 133 as follows:

DOOR-TO-DOOR SOLICITATION

SECTION 133-1: PURPOSE
This By-Law, adopted pursuant to G.L. c. 43B, Section 13 and Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts, establishes registration requirements for all persons intending to engage in door-to-door canvassing or solicitation in the Town of Southborough in order to (1) protect its citizenry from disruption of the peaceful enjoyment of their residences/businesses and from perpetration of fraud and other crimes; and (2) to allow reasonable access to residents/business owners in their homes/business by persons or organizations who wish to communicate either commercial or non-commercial messages.

SECTION133-2: REGISTRATION
Every person or organization intending to engage in soliciting or canvassing door-to-door in the Town of Southborough must register with the Police Department at least 7 days in advance by filing a registration application form with the Chief of Police.

SECTION133-3: REGISTRATION CARDS

A. The Police Chief shall furnish each person engaged in solicitation or canvassing with a registration card which shall contain identifying information as required by the Police Chief.

B. Persons engaged in solicitation or canvassing must carry the registration card at all times and present the card to any person solicited or upon request of any police officer.

C. Registration cards are valid only for the specific dates or times specified thereon and in no case for longer than 90 days.

D. The Police Chief shall refuse to register an organization or individual whose registration has been revoked for violation of this By-Law within the previous two-year period, or who has been convicted of any crime affecting personal safety.

SECTION 133-4: EXCEPTIONS

A. Registration shall not be required for officers or employees of the Town, county, state or federal governments when on official business.

B. Individual registration shall not be required for minors under the age of 18 except in connection with for-profit, commercial activity.

SECTION 133-5: DUTIES OF SOLICITORS

A. Any solicitor or canvasser who has entered any premises shall immediately and peacefully, depart from the premises when requested to do so by the occupant.

B. Immediately upon entering premises, the solicitor or canvasser must do the following:

(i) Present his/her registration card for inspection by the occupant.
(ii) Request that the occupant read the registration card.
(iii) Inform the occupant in clear language of the nature and purpose of his/her business, and, if he/she is representing an organization, the name and nature of that organization.

C. It shall be the duty of every organization employing solicitors or canvassers to notify the Police Department daily as to the area(s) of the Town in which they will be operating.

SECTION 133-6: PENALTY

A. Any person or organization violating any of the provisions of this By-Law shall be subject to a fine of $25.00 for each offense.

B. Any person or organization who violated any provision of this By-Law, or who knowingly provides false information on the registration application, shall have his/her/its registration revoked by the Chief of Police by written notice delivered to the holder of the registration in person, or sent to the holder by certified mail at the address set forth in the application

SECTION 133-7: APPEALS

Any person or organization who is denied registration or whose registration has been revoked may appeal by filing a written notice of appeal with the Board of Selectmen. Such appeal must be filed within 10 days after receipt of the notice of denial or revocation. The Board of Selectmen shall hear and determine the appeal within 30 days after the filing of the written notice of appeal.

SECTION 133-8: SEVERABILITY

Invalidity of any individual provision of the By-Law shall not affect the validity of the By-Law as a whole.

DOOR TO DOOR SOLICITATION

The Southborough Police Department requires that all door to door solicitors adhere to the following guidelines:

1. All solicitors must first fill out an application form and submit $25.00 fee per solicitor to have a background check done. Once you have been cleared, you will receive badges for all solicitors working with your group. If someone does not clear the process due to a past criminal record, they will not be allowed to canvass in the Town of Southborough.

2. You are required to check in daily before you start, with a list of people canvassing in the area and location where they will be canvassing. If any solicitor does not check in with the Southborough Police Department before they begin soliciting for any day, they will have to cease soliciting immediately upon the direction of a Police Officer.

3. All solicitors are to wear the badge issued by the Southborough Police Department and ONLY those who have been previously cleared by the Southborough Police are allowed to canvass. If a solicitor loses his/her badge, soliciting must stop until another badge is issued.

4. The Police Department will provide a No Solicitors List. This list is of Southborough residences/businesses where solicitation is prohibited. This list MUST BE adhered to, and all parties who are canvassing the area MUST have a current copy of the No Solicitors list. It is the responsibility of each solicitation group to provide a current copy of this list to each member in their group. Each resident/business owner on this list has contacted the Police Department to record the fact that there is to be NO SOLICITING on their property. Violation of the No Soliciting list is cause for penalty to solicitors up to and including arrest for trespassing after notice.

5. Respect people's wishes if they ask you to leave. If the Southborough Police Department receives complaints of solicitors harassing or disturbing the peace of residents, action up to and including arrest may be taken for any violation.

6. As a general guideline, acceptable times for solicitation should fall between 8AM and 8 PM. Solicitation earlier or later than these times generate many calls from residents/business owners who feel that their right to privacy in their homes/business has been violated. The Southborough Police Department will take any action necessary to protect the right to privacy of our residents/business owners.

,or do or act anything in relation thereto. (Proposed by the Police Chief)

MOTION MADE: That the Town vote to delete Chapter 133 and amend the Code of the Town of Southborough by inserting a new Chapter 133 as printed in the Warrant.

AMENDMENT: Amend the Article to include the following language:

Section 2: Registration

This by-law does not apply to any entity that enjoys Constitutional protection.

Section 3, subsection D

For example, burglary, assault and battery, robbery, rape, murder and others determined by the Police Chief.

MOTION TO MOVE THE QUESTION: VOTED UNANIMOUSLY.

AMENDMENT TO MOTION: CARRIED BY MAJORITY VOTE.

MOTION with AMENDMENT DEFEATED: YES: 49 NO: 69

MOTION MADE TO DISSOLVE Annual Town Meeting of 2005 at 11:17PM:
MOTION VOTED UNANIMOUSLY to dissolve the Annual Town Meeting of 2005.

True Copy
Attest:

Paul J. Berry, Town Clerk

Town of Southborough
SPECIAL TOWN MEETING
January 21, 2006

At the Special Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Saturday at 9:00AM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 596 voters were checked in.

Checkers:

Brenda Gaffney	**Lidia A. Kiley**
Janet M.E. Mattioli	**Linda C. Hubley**
Lois W. Denman	**Delia Mulvaney**

The following were appointed by Moderator John Wilson and sworn-in by Town Clerk, Paul J. Berry:
Tellers:

George F. Harris	**Desiree Aselbekian**
James B. Denman	**Richard Connors**
Michael Araujo	**Cyd C. Ostrovsky**

The Town Moderator, John H. Wilson, called the meeting to order at 9:26am.

The Colors were presented by Junior Girl Scout Troop #2766
Emily Arnold
Madeline Hansen
Danielle Hayes
Haley Hughes
Anne LoVerso
Hannah Maciolek
Susanna Sigler
Girl Scout Leaders: Susan LoVerso and Maureen Hansen

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

MOTION MADE: To waive the reading of the entire Warrant.
MOTION CARRIES UNANIMOUSLY.

Moderator Wilson had requests from the following non-voters to attend the SPECIAL Town Meeting. There being no objections from the floor, it was voted to allow the above non-voters to remain:

Brian Ballantine, Treasurer/Collector
Paul T. Cibelli, Principal Assessor
Basilio Diaz, Facilities Manager
Kathryn Garcia, Director of Recreation
Karen Galligan, Interim DPW Superintendent
Vanessa D. Hale, Assistant Town Administrator
Vera L. Kolias, Town Planner
John D. Mauro, Jr., Fire Chief
Dawn E. Michanowicz, Assistant Town Clerk
Paul C. Pisinski, Public Health Director
Beth Rosenblum, Conservation Administrator

Lisa Gentes, METROWEST DAILY NEWS
Photographer Shane Gerardi, METROWEST DAILY NEWS
Jennifer Rosinski, Boston Globe WEST

Christa Collin, Sudbury Valley Trustees
Brandon Kibbe, Sudbury Valley Trustees
Ron McAdow, Sudbury Valley Trustees

Steve Rollins
Steve LeDuc, State Representative

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The music room was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

ARTICLE 1: To see if the Town will accept the following report of the Community Preservation Committee for the 2005 Community Preservation Budget:

FY 2005 CPA Revenue

10/15/2004	State match (against FY04)		$188,652.52
	FY04 surcharge receipts (late)	$2,168.36	
	FY05 surcharge receipts	$204,034.33	
	Interest on surcharge	$887.35	
	CPA surcharge lien	$319.68	
	Interest on investments	$8,493.87	
6/30/2005	Total local revenue received in FY05		$215,903.59
	Total revenue received in FY05		$404,556.11

,or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: That the Town accept the following report of the Community Preservation Committee for the 2005 Community Preservation Budget:

FY 2005 CPA Revenue

10/15/2004	State match (against FY04)		$188,652.52
	FY04 surcharge receipts (late)	$2,168.36	
	FY05 surcharge receipts	$204,034.33	
	Interest on surcharge	$887.35	
	CPA surcharge lien	$319.68	
	Interest on investments	$8,493.87	
6/30/2005	Total local revenue received in FY05		$215,903.59
	Total revenue received in FY05		$404,556.11

MOTION CARRIES UNANIMOUSLY

ARTICLE 2: To see if the Town will vote to act upon the recommendations of the Community Preservation Committee and to set aside for later expenditure, certain sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the Mass. General Laws, as follows, or do or act anything in relation thereto:

Set Aside - Open Space
$40,455.61 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for acquisition, creation or preservation of open space, and for the rehabilitation and/or restoration of open space acquired under the Community Preservation Act.

Set Aside – Historic Preservation
$40,455.61 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for the acquisition, preservation, rehabilitation and restoration of historic resources.

Set Aside – Community Housing
$40,455.61 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for the creation, preservation and support of community housing, and for the rehabilitation and/or restoration of community housing acquired under the Community Preservation Act, or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: That the Town vote to accept the recommendations of the Community Preservation Committee and set aside for later expenditure, certain sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the Mass. General Laws, as follows:

Set Aside - Open Space
$40,455.61 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for acquisition, creation or preservation of open space, and for the rehabilitation and/or restoration of open space acquired under the Community Preservation Act.

Set Aside – Historic Preservation
$40,455.61 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for the for the acquisition, preservation, rehabilitation and restoration of historic resources.

Set Aside – Community Housing
$40,455.61 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for the creation, preservation and support of community housing, and for the rehabilitation and/or restoration of community housing acquired under the Community Preservation Act

MOTION CARRIES UNANIMOUSLY

ARTICLE 3: To see if the Town will vote to authorize the Board of Selectmen to acquire and otherwise purchase a certain parcel of land with residential structure, thereon located at 1 Cordaville Road, Assessors Map 54 and Parcel 25 for public purposes. Said parcel being more particularly described as follows:

The land with the buildings thereon situated in Southborough, Worcester County, Massachusetts situated at the junction of Main Street and Cordaville Road, bounded and described as follows:

Beginning at the northwesterly corner of granted premises on the southerly sideline of Main Street at an iron spike;

> Thence southeasterly by the said southerly sideline of Main Street, ninety-one (91) feet more or less, to a point at the intersection of the southerly sideline of Main Street and the westerly sideline of Cordaville Road;
> Thence turning and running southerly by the said westerly sideline of Cordaville Road, one hundred eighty (180) feet to land of Robert D. Bruce, now or formerly;
> Thence turning and running westerly by said Bruce 1 and, one hundred sixty (160) feet to a stone bound;
> Thence turning and running by land now or formerly of Edward C. and Gladys H. Nichols, fifteen (15) feet to an iron pipe;
> Thence turning and running easterly by the land of Aldrich, fifty-three and 2/10 (53.2) feet, more or less, to an iron pipe;
> Thence turning and running northerly, still by land of Aldrich, eighty-nine and 4/10 (89.4) feet to an iron pipe;
> Thence running more northerly, still by land of Aldrich, one hundred two and 3/10 (102.3) feet to said iron spike at the point of beginning.
> Contains .44 acres more or less.

And further to see if the Town will vote to transfer from available funds and appropriate, the sum of two hundred and ninety-five thousand ($295,000.00) dollars for the land acquisition and purchase, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Board of Selectmen be authorized on behalf of the Town to acquire and otherwise purchase a certain parcel of land with residential structure, thereon located at 1 Cordaville Road, Assessors Map 54 and Parcel 25 for public purposes. Said parcel being more particularly described as follows:

The land with the buildings thereon situated in Southborough, Worcester County, Massachusetts situated at the junction of Main Street and Cordaville Road, bounded and described as follows:

> Beginning at the northwesterly corner of granted premises on the southerly sideline of Main Street at an iron spike;
> Thence southeasterly by the said southerly sideline of Main Street, ninety-one (91) feet more or less, to a point at the intersection of the southerly sideline of Main Street and the westerly sideline of Cordaville Road;
> Thence turning and running southerly by the said westerly sideline of Cordaville Road, one hundred eighty (180) feet to land of Robert D. Bruce, now or formerly;
> Thence turning and running westerly by said Bruce 1 and, one hundred sixty (160) feet to a stone bound;
> Thence turning and running by land now or formerly of Edward C. and Gladys H. Nichols, fifteen (15) feet to an iron pipe;
> Thence turning and running easterly by the land of Aldrich, fifty-three and 2/10 (53.2) feet, more or less, to an iron pipe;
> Thence turning and running northerly, still by land of Aldrich, eighty-nine and 4/10 (89.4) feet to an iron pipe;
> Thence running more northerly, still by land of Aldrich, one hundred two and 3/10 (102.3) feet to said iron spike at the point of beginning.
> Contains .44 acres more or less.

And further to see if the Town will vote to transfer from the Stabilization Fund and appropriate, the sum of two hundred and ninety-five thousand ($295,000.00) dollars for the land acquisition and purchase.
Requires 2/3 Vote
MOTION TO MOVE THE QUESTION VOTED UNANIMOUSLY
Requires 2/3 Vote
MOTION CARRIES YES: 91 NO: 20

ARTICLE 4: To see if the Town will vote to authorize the Board of Selectmen to accept an easement from Dante Mallegni, Trustee of White Bagley Road Realty Trust, said easement being known on the Plan entitled "Plan of Drainage Easement in Southborough, Mass., owned by: White Bagley Road Realty Trust, Location: Lot 2, Oregon Road (HSE #18) Central Mass. Engineering & Survey, Inc., 15 Hickory Road, Southborough, MA, Date: April 18, 2005, Scale: 1"-30". The plan is recorded with the Worcester District Registry of Deeds in Plan Book 825, Plan 67. The grant of easement is more particularly described in a document entitled Grant of Easement from Dante Mallegni, Trustee of White Bagley Road Realty Trust to the Inhabitants of the Town of Southborough, said easement being dated May 9, 2005, and recorded with the Worcester District Registry of Deeds in Book 36297, Page 98.

The easement for public purpose is for the installation, laying and maintaining drain pipes, lines, wires, cables, conduits and appurtenances thereto and in order to permit the drainage of water through and under the area shown on the above referenced plan as "20' Wide Drainage Easement to be deeded to the Town of Southborough, area + 395 sq. ft.", or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town accept an easement from Dante Mallegni, Trustee of White Bagley Road Realty Trust, said easement being known on the Plan entitled "Plan of Drainage Easement in Southborough, Mass., owned by: White Bagley Road Realty Trust, Location: Lot 2, Oregon Road (HSE #18) Central Mass. Engineering & Survey, Inc., 15 Hickory Road, Southborough, MA, Date: April 18, 2005, Scale: 1"-30". The plan is recorded with the Worcester District Registry of Deeds in Plan Book 825, Plan 67. The grant of easement is more particularly described in a document entitled Grant of Easement from Dante Mallegni, Trustee of White Bagley Road Realty Trust to the

Inhabitants of the Town of Southborough, said easement being dated May 9, 2005, and recorded with the Worcester District Registry of Deeds in Book 36297, Page 98.

The easement for public purpose is for the installation, laying and maintaining drain pipes, lines, wires, cables, conduits and appurtenances thereto and in order to permit the drainage of water through and under the area shown on the above referenced plan as "20' Wide Drainage Easement to be deeded to the Town of Southborough, area + 395 sq. ft."
Requires 2/3 Vote
MOTION VOTED UNANIMOUSLY

ARTICLE 5: To see if the Town will vote to borrow and appropriate, or transfer from available funds and appropriate, the sum of $110,000 to be used to repair and maintain Fayville Village Hall, located at 42 Central Street and to demolish the building known as the Delarda House located at 40 Central Street, or do or act anything in relation thereto. Provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election, or do or act anything in relation thereto. (Proposed by the Board of Selectmen and the Municipal Facilities Committee)

MOTION MADE: That the Town borrow and appropriate the sum of $110,000 to be used to repair and maintain Fayville Village Hall, and to demolish the building known as the Delarda House located at 40 Central Street.

Provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election.

MOTION MADE: TO COMBINE DISCUSSION Of ARTICLES 5 and 6 TOGETHER CARRIES UNANIMOUSLY.

AMENDMENT TO MOTION MADE: to Indefinitely Postpone Article 5.
AMENDMENT TO MOTION CARRIES BY MAJORITY to Indefinitely Postpone Article 5.

ARTICLE 6: To see if the Town will vote to borrow and appropriate, or transfer from available funds and appropriate, the sum of $105,000 to be used to demolish Fayville Village Hall, located at 42 Central Street and to demolish the building known as the Delarda House located at 40 Central Street. Provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election, or do or act anything in relation thereto. (Proposed by the Board of Selectmen and the Municipal Facilities Committee)

MOTION MADE: That the Town borrow and appropriate the sum of $105,000 to be used to demolish Fayville Village Hall, and to demolish the building known as the Delarda House located at 40 Central Street.

Provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election.
AMENDMENT TO MOTION MADE: to Indefinitely Postpone Article 6.

AMENDMENT TO MOTION CARRIES BY MAJORITY to Indefinitely Postpone Article 6.

ARTICLE 7: To see if the Town will vote to borrow and appropriate, or transfer from available funds and appropriate, the sum of $325,000 to be used to develop engineering and architectural plans and studies for the renovation and construction of a new municipal facility at Cordaville Hall, 9 Cordaville Road as per the 2005 Municipal Facilities Plan. Provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election, or do or act anything in relation thereto. (Proposed by the Board of Selectmen and the Municipal Facilities Committee)

MOTION MADE: That the Town borrow and appropriate the sum of $325,000 to be used to develop engineering and architectural plans and studies for the renovation and construction of a new municipal facility at Cordaville Hall, as per the 2005 Municipal Facilities Plan.

Provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election.
AMENDMENT TO MOTION MADE TO INDEFINITELY POSTPONE Article 7.
AMENDMENT TO MOTION: DEFEATED BY MAJORITY VOTE.

Requires 2/3 Vote
VOTE on ORIGINAL MOTION CARRIES: YES: 30 NO: 4

Passed at SPECIAL TOWN ELECTION on January 28, 2006:

Yes	**190**
No	130
Blanks	3
Total	**323**

ARTICLE 8: To see if the Town will vote to borrow and appropriate, or transfer from available funds and appropriate, the sum of $50,000 to be used to fund a site feasibility study for a new public safety complex at the present location at 19 and 21 Main Street, as per the 2005 Municipal Facilities Plan. Provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election, or do or act anything in relation thereto. (Proposed by the Board of Selectmen and the Municipal Facilities Committee)

MOTION MADE: That the Town borrow and appropriate the sum of $50,000 to be used to fund a site feasibility study for a new public safety complex at the present location at 19 and 21 Main Street, as per the 2005 Municipal Facilities Plan.

Provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election.

AMENDMENT TO MOTION: to delete the words:
"present location at 19 and 21 Main Street"

MOTION TO WITHDRAW AMENDMENT: PASSES UNANIMOUSLY

AMENDMENT TO MOTION TO POSTPONE INDEFINITELY: DEFEATED BY MAJORITY VOTE.
Requires 2/3 Vote
ORIGINAL MOTION CARRIES: YES: 33 NO: 7

Passed at SPECIAL TOWN ELECTION on January 28, 2006:

Yes	187
No	135
Blanks	1
Total	**323**

ARTICLE 9: To see if the Town will vote to amend the interest rate per annum from 8% to 4% under the provisions of Massachusetts General Laws, Chapter 59, §5, (41A), which regulates tax deferral for homeowners 65 years or older, pursuant to the authority contained in Chapter 136 of the Acts of 2005 of the General Court thereby amending said M.G.L. Ch. 59 §5 (41A), or do or act anything in relation thereto. (Proposed by the Board of Assessors & Council on Aging)

MOTION MADE: That the Town amend the interest rate per annum from 8% to 4% under the provisions of Massachusetts General Laws, Chapter 59, §5, (41A), which regulates tax deferral for homeowners 65 years or older, pursuant to the authority contained in Chapter 136 of the Acts of 2005 of the General Court thereby amending said M.G.L. Ch. 59 §5 (41A)

MOTION CARRIES UNANIMOUSLY

ARTICLE 10: To see if the Town will vote to transfer from available funds a sum of money for the successor collective bargaining agreement between the Town of Southborough and Local 167, Massachusetts Coalition of Police (Patrol Officers and Sergeants, which expired on June 30, 2004), or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town transfer and appropriate from the FY 06 Employee Benefits account the sum of $15,000 to the Police Department FY06 salary account to fund the first and second year of the successor collective bargaining agreement between the Town of Southborough and Local 167, Massachusetts Coalition of Police (Patrol Officers and Sergeants, which expired on June 30, 2004).
MOTION CARRIES UNANIMOUSLY

ARTICLE 11: To see if the Town will vote to establish a Town Governance Study Committee to review the structure of town government and make recommendations to 2007 Annual Town Meeting about the same. The Town Governance Study Committee shall be appointed by the Town Moderator and shall consist of seven (7) members who shall serve one-year terms, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town establish a Town Governance Study Committee to review the structure of town government and make recommendations to 2007 Annual Town Meeting about the same. The Town Governance Study Committee shall be appointed by the Town Moderator and shall consist of seven (7) members who shall serve one-year terms.

MOTION CARRIES UNANIMOUSLY

ARTICLE 12: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, accept by gift or take by eminent domain a perpetual Conservation Restriction for the purpose of conservation and passive recreation purposes, conforming to the applicable provisions of Mass. General Laws Ch. 184 and all other pertinent laws and regulations, and other interests in real property as to land, owned by the Philip C. Beals Trust, commonly known as Chestnut Hill Farm, consisting of 132 +/- acres, said parcel being described in a deed recorded in the Worcester South Registry of Deeds in Book 4725 on Page 594 and shown as Lot A and Lot B on a plan of land entitled "Plan of Land in Southborough, Mass."; dated August 29, 1960 recorded in the Worcester South

Registry of Deeds as Plan Book 250 on Page 38, together with another parcel being described in a deed recorded in the Registry in Book 4593 at Page 444 and shown as Lot B-2 on a plan of land entitled "Plan of Land in Southborough, Mass."; dated August 6th, 1965 recorded in the Registry as Plan Book 292 on Page 78, and also shown on Southborough Assessors Map 62, Parcel 4, Map 72, Parcel 8 and Map 52, Lot 9. Said perpetual Conservation Restriction to be held by the Town of Southborough in accordance with M.G.L. Ch. 40 §8c, under the care, control and management of the Southborough Conservation Commission. And further to see if the Town will vote to raise and appropriate, take from available funds, and/or authorize the Town Treasurer, with the approval of the Board of Selectmen (pursuant to M.G.L. c. 44 §7 pr 8C) or any other enabling authority, to borrow the sum of $5,075,000.00, to effectuate the purpose of this warrant article or borrow under the authorization of Article 2 of the April 13, 1998 Annual Town Meeting and amended under Article 3 of the November 10, 2001 Special Town Meeting and further amended under Article 57 of the 2005 Annual Town Meeting. And that the Conservation Commission be authorized to file on behalf of the Town of Southborough any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Self-Help Act (Chapter 132A, Section 11) and/or any others in any way connected with the scope of this Article, and the Town of Southborough and the Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Southborough to affect said Conservation Restriction.

And further that any amount taken from available funds or borrowed hereunder be reduced by any state or federal grant amount that may be obtained for the purposes of this real property interest acquisition. This article shall be contingent upon favorable Proposition 2 ½ debt exclusion vote at a town election, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Board of Selectmen is authorized on behalf of the Town to acquire by purchase, a perpetual conservation restriction for the purpose of conservation and passive recreation purposes, conforming to the applicable provisions of Mass. General Laws Ch. 184 and all other pertinent laws and regulations, and other interests in real property as to land, owned by the Philip C. Beals Trust, commonly known as Chestnut Hill Farm, consisting of 109 +/- acres, said parcel being described in a deed recorded in the Worcester South Registry of Deeds in Book 4725 on Page 594 and shown as Lot A and Lot B on a plan of land entitled "Plan of Land in Southborough, Mass."; dated August 29, 1960 recorded in the Worcester South Registry of Deeds as Plan Book 250 on Page 38, together with another parcel being described in a deed recorded in the Registry in Book 4593 at Page 444 and shown as Lot B-2 on a plan of land entitled "Plan of Land in Southborough, Mass."; dated August 6th, 1965 recorded in the Registry as Plan Book 292 on Page 78, and also shown on Southborough Assessors Map 62, Parcel 4, Map 72, Parcel 8 and Map 52, Lot 9. Said perpetual Conservation Restriction to be held by the Town of Southborough in accordance with M.G.L. Ch. 40 §8c, under the care, control and management of the Southborough Conservation Commission. And the Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Southborough to affect said Conservation Restriction.

And further, that the sum of $2,150,000.00 be and hereby is appropriated to pay a portion of the $4,500,000.00 purchase price of the perpetual conservation restriction described above, and to meet this appropriation, the Treasurer, with the approval of the Selectmen, is hereby authorized to borrow the sum of $2,150,000 under and pursuant to the provisions of Chapter 44, Section 7(3) of the General Laws, or pursuant to any other enabling authority and to issue bonds or notes of the Town therefor, provided however that no sums shall be borrowed or expended hereunder unless and until (i) the Town shall have appropriated sufficient funds whether by appropriation, grants and gifts or otherwise to pay the total purchase price of the perpetual conservation restriction described above, and (ii) the Town shall have voted to exclude the amounts necessary to repay any bonds or notes issued pursuant to this vote from the limitations imposed by

Chapter 59, Section 21C of the General Laws (otherwise known as Proposition Two and One-Half). The amounts authorized to be borrowed hereunder shall be reduced to the extent of any grants or gifts received by the Town in connection with the acquisition of the perpetual conservation restriction described above. The Board of Selectmen on behalf of the Town be and hereby is authorized to accept all charitable gifts and contributions that may be made available to the Town in connection with the Town's purchase of the perpetual conservation restriction described above.

AMENDMENT TO MOTION: that Articles 12, 13 and 14 be discussed together.
Requires 2/3 Vote
AMENDMENT TO MOTION CARRIES UNANIMOUSLY

AMENDMENT TO MOTION: Move to remove the words of the Article:

> "shall have voted to exclude the amounts necessary to repay any bonds or notes issued pursuant to this vote from the limitations imposed by Chapter 59, Section 21C of the General Laws (otherwise known as Proposition Two and One-Half)" **and substitute the following**:
>
> "borrowing shall be under the authorization of Article 2 of the April 13, 1998 Annual Town Meeting and amended under Article 3 of the November 10, 2001 Special Town Meeting and further amended under Article 57 of the 2005 Annual Town Meeting."

AMENDMENT TO MOTION: CARRIES BY MAJORITY VOTE
MOTION MADE TO MOVE THE QUESTION ON ARTICLE 12 AS AMENDED: PASSED BY MAJORITY VOTE.

MOTION AS AMENDED

That the Board of Selectmen is authorized on behalf of the Town to acquire by purchase, a perpetual conservation restriction for the purpose of conservation and passive recreation purposes, conforming to the applicable provisions of Mass. General Laws Ch. 184 and all other pertinent laws and regulations, and other interests in real property as to land, owned by the Philip C. Beals Trust, commonly known as Chestnut Hill Farm, consisting of 109 +/- acres, said parcel being described in a deed recorded in the Worcester South Registry of Deeds in Book 4725 on Page 594 and shown as Lot A and Lot B on a plan of land entitled "Plan of Land in Southborough, Mass."; dated August 29, 1960 recorded in the Worcester South Registry of Deeds as Plan Book 250 on Page 38, together with another parcel being described in a deed recorded in the Registry in Book 4593 at Page 444 and shown as Lot B-2 on a plan of land entitled "Plan of Land in Southborough, Mass."; dated August 6th, 1965 recorded in the Registry as Plan Book 292 on Page 78, and also shown on Southborough Assessors Map 62, Parcel 4, Map 72, Parcel 8 and Map 52, Lot 9. Said perpetual Conservation Restriction to be held by the Town of Southborough in accordance with M.G.L. Ch. 40 §8c, under the care, control and management of the Southborough Conservation Commission. And the Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Southborough to affect said Conservation Restriction.

And further, that the sum of $2,150,000.00 be and hereby is appropriated to pay a portion of the $4,500,000.00 purchase price of the perpetual conservation restriction described above, and to meet this appropriation, the Treasurer, with the approval of the Selectmen, is hereby authorized to borrow the sum of $2,150,000 under and pursuant to the provisions of Chapter 44, Section 7(3) of the General Laws, or pursuant to any other enabling authority and to issue bonds or notes of the Town therefor, provided however that no sums shall be borrowed or expended hereunder unless and until (i) the Town shall have appropriated sufficient funds whether by appropriation, grants and gifts or otherwise to pay the total purchase price of the perpetual conservation restriction described above, and (ii) the Town borrowing shall be under the authorization of Article

2 of the April 13, 1998 Annual Town Meeting and amended under Article 3 of the November 10, 2001 Special Town Meeting and further amended under Article 57 of the 2005 Annual Town Meeting. The amounts authorized to be borrowed hereunder shall be reduced to the extent of any grants or gifts received by the Town in connection with the acquisition of the perpetual conservation restriction described above. The Board of Selectmen on behalf of the Town be and hereby is authorized to accept all charitable gifts and contributions that may be made available to the Town in connection with the Town's purchase of the perpetual conservation restriction described above.
Requires 2/3 Vote
MOTION AS AMENDMENT PASSED: YES: 103 NO: 36

ARTICLE 13: To see if the Town will vote to appropriate $87,426.05 from the CPA Open Space Reserve Fund, $267,998.90 from the FY2006 CPA Discretionary Fund and $144,575.05 from Unreserved CPA Funds for a total of $500,000 to acquire by purchase, accept by gift or take by eminent domain a perpetual Conservation Restriction for the purpose of conservation and passive recreation purposes, conforming to the applicable provisions of Mass. General Laws Ch. 184 and all other pertinent laws and regulations, and other interests in real property as to land commonly known as Chestnut Hill Farm consisting of 132 +/- acres, said parcel being described in a deed recorded in the Worcester South Registry of Deeds in Book 4725 on Page 594 and shown as Lot A and Lot B on a plan of land entitled "Plan of Land in Southborough, Mass."; dated August 29, 1960 recorded in the Worcester South Registry of Deeds as Plan Book 250 on Page 38, together with another parcel being described in a deed recorded in the Registry in Book 4593 at Page 444 and shown as Lot B-2 on a plan of land entitled "Plan of Land in Southborough, Mass."; dated August 6th, 1965 recorded in the Registry as Plan Book 292 on Page 78, and also shown on Southborough Assessors Map 62, Parcel 4, Map 72, Parcel 8 and Map 52, Lot 9. Said perpetual Conservation Restriction to be held by the Town of Southborough in accordance with M.G.L. Ch. 40 §8c, to be under the care, control and management of the Southborough Conservation Commission, or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: That the sum of $500,000 be and hereby is appropriated to pay a portion of the $4,500,000.00 purchase price of a perpetual conservation restriction with respect to land commonly known as the Chestnut Hill Farm, as more completely described in Article 12 of this Warrant, which amount shall be appropriated from the following sources:

Amount	Source of Funds
$87,426.05	CPA Open Space Reserve Fund
$267,998.90	FY2006 CPA Discretionary Fund
$144,575.05	Unreserved CPA Funds

Said perpetual Conservation Restriction to be held by the Town of Southborough in accordance with M.G.L. Ch. 40 §8c, under the care, control and management of the Southborough Conservation Commission.
MOTION PASSED BY MAJORITY VOTE

ARTICLE 14: To see if the town will authorize the Town Treasurer with the approval of the Selectmen to borrow a sum not to exceed $1,850,000, and to transfer to the General Fund $150,000 from unreserved CPA funds in Year 1, in accordance with the Community Preservation Act, MGL Ch. 44B or any other enabling authority to acquire by purchase, accept by gift or take by eminent domain a perpetual Conservation Restriction for the purpose of conservation and passive recreation purposes, conforming to the applicable provisions of Mass. General Laws c. 184 and all other pertinent laws and regulations, and other interests in real property as to land commonly known as Chestnut Hill Farm consisting of 132 +/- acres, said parcel being described in a deed recorded in the Worcester South Registry of Deeds in Book 4725 on Page 594 and shown as Lot A and Lot B on a plan of land entitled "Plan of Land in Southborough, Mass."; dated August 29, 1960 recorded in the Worcester South Registry of Deeds as Plan Book 250 on Page 38, together with another parcel being described in a deed recorded in the Registry in Book 4593 at Page 444 and shown as Lot B-2 on a plan of land entitled "Plan of Land in Southborough, Mass."; dated August 6, 1965 recorded in the Registry as Plan Book 292 on Page 78, and also shown on Southborough Assessors Map 62, Parcel 4, Map 72, Parcel 8 and Map 52, Lot 9. Said perpetual Conservation

Restriction to be held by the Town of Southborough in accordance with M.G.L. Ch. 40 §8c, to be under the care, control and management of the Southborough Conservation Commission, or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: That in order to pay a portion of the $4,500,000.00 cost of a perpetual conservation restriction with respect to land commonly known as Chestnut Hill Farm, as more completely described in Article 12 of this Warrant, the sum of $1,850,000 be and hereby is appropriated to pay such costs, and to meet this appropriation, the Town Treasurer with the approval of the Selectmen be and hereby is authorized to borrow the sum of $1,850,000, under and pursuant to Chapter 44B of the General Laws (the Community Preservation Act, so-called), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that in connection with the issuance of any bonds or notes hereunder, the additional sum of $150,000 be and hereby is transferred to the General Fund from unreserved Community Preservation Act funds in Year 1 to meet the costs of principal and interest on any bonds or notes issued pursuant to this vote. Said perpetual conservation restriction to be held by the Town of Southborough in accordance with M.G.L. Ch. 40 §8c, to be under the care, control and management of the Southborough Conservation Commission.
MOTION CARRIES UNANIMOUSLY

MOTION TO ADJOURN Special Town Meeting at 1:10pm VOTED UNANIMOUSLY.

ANNUAL TOWN MEETING
April 10, 2006

At the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, April 10, 2006 at 7:00PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 244 voters were present.

Checkers:

Brenda Gaffney

Janet M.E. Mattioli

Lois W. Denman

Lidia A. Kiley

Linda C. Hubley

Delia Mulvaney

The following were appointed by Moderator John Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:

Joseph A. DiGiovanni, Jr	**4 High Street**
Chirstopher Robbins	**39 Parkerville Rd**
George Mark Pederson	**11 Strawberry Hill Rd**
Lucian R. Philippon	**7 Woodbury Rd**
Paul M. Cimino	**3 Austin Kelly Lane**
Brian Shea	**17 Pinecone Lane**

The Town Moderator, John H. Wilson, called the meeting to order at 7:45pm.

The Colors were presented by Junior Girl Scout Troop 2785.

Meghan E. Hornblower
Stephanie A. Madigan
Drew Maxwell
Taylor J. O'Connell
Anna S. Wendt
Nicole E. Watterman

Leaders: Michelle Labich and Karen Diaz

A moment of silence was held in memory of those persons who have served the Town in the past:

William J. Colleary, Police Chief
Eleanor E. Maclauchlan, Pollworker, Council on Aging
Mary Anne McCann, Pollworker
Angie A. Prosperi, Pollworker
Beatrice P. Johnson, School Cook
Ellen A. Boland, Pollworker, Council on Aging, Southborough Housing Authority
Virginia L. DiCenzo, Pollworker
Marian C. O'Neill, Library
Dorothy S. Minville, Teacher
Charles P. Aspesi, Public Works Planning Board

ANNUAL TOWN MEETING
April 10, 2006

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting. There being no objections from the floor, it was voted to allow the above non-voters to remain:

Brian Ballantine, Finance Director
Gene Carlo, Superintendent Assabet Valley Regional School
Paul T. Cibelli, Principal Assessor
Robert E. Couture, Interim Superintendent of Schools
Shirley Lundberg, Member Regional School Committee
Basilio Diaz, Facilities Manager
Kathryn Garcia, Director of Recreation
Karen Galligan, Interim Superintendent DPW
Vanessa D. Hale, Assistant Town Administrator
Russell Horne, Historical Society of Massachusetts (speaking for CPA funding)
Kimberley Ivers, Acting Library Director
Donna Jacobs, Director of MetroWest Growth Management Committee (speaking for Stormwater by-laws)
Peter Johnson, Building Inspector
Vera L. Kolias, Town Planner
John Kustigan, Assabet Valley Regional School, Business Manager
Pam LeFrancois, Senior Center Director
Cheryl Levesque, Business Director of Schools
Joseph Lordan, Sound/Video Trottier School
John D. Mauro, Jr., Fire Chief
Dawn E. Michanowicz, Assistant Town Clerk
Paul C. Pisinski, Public Health Director
Beth Rosenblum, Conservation Administrator
Stephen Rollins, Framingham
Laurie Sugarman-Whittier, Director of Youth and Family Services
Lisa Gentes, MetroWest Daily News
Photographer for MetroWest Daily News
Kathryn Alea, High School Student
Stephanie Lewko, High School Student

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Annual Town Meeting by the Constable.

MOTION MADE: To waive the reading of the entire Warrant.
MOTION CARRIES UNANIMOUSLY.

THE ADVISORY COMMITTEE WILL MAKE RECOMMENDATIONS ON ALL THE FOLLOWING ARTICLES AT TOWN MEETING.

ARTICLE 1: To hear reports of the various Town Officers and Committees and to take such action theron as the Town may vote. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town hear reports of the various Town Officers and Committees:

Selectmen's Report
Capital Budget Report
Southborough Housing Opportunity Partnership Committee Report
Phase II StormWater Committee

MOTION CARRIES UNANIMOUSLY.

ARTICLE 2: To see if the Town will vote to accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Accounts, and determine what disposition shall be made of the same, if accepted, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 3: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2006 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17 as amended, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2006 in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 17, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 4: To hear the report of the Capital Budget Planning Committee, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town hear the report of the Capital Budget Planning Committee.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 5: To see if the Town will vote to delete the Personnel Salary Administration Plan, as specified in Chapter 31 of the Code of the Town of Southborough, entitled: PERSONNEL, and insert in its place the following:

SALARY ADMINISTRATION PLAN AND PERSONNEL BY-LAWS OF THE TOWN OF SOUTHBOROUGH

PREAMBLE

This by-law establishes a Salary Administration Plan for the Town of Southborough, which classifies the several position classifications in the Town services into groups, establishes salary schedules, establishes employee benefits and establishes a Personnel Board to administer the by-law and to represent the interest of both the taxpayers and the Town employees covered by the by-law.

The positions of all officers and employees in the service of the Town, whether full-time, part-time, temporary, seasonal, special, casual Civil Service or any other, other than those positions filled by popular election, those under the direction and control of the School Committee, and those encompassed in any officially recognized labor union and/or association, are hereby classified by titles in the groups listed in Schedule A, entitled "Classification Schedule," as set forth in Section 21 of the by-law. The classification of positions which are subject to the Welfare Compensation Plan of the Commonwealth of Massachusetts and the scheduled rates therefore effective July 1, 1966 with subsequent amendments, if any, and the applicable provisions of the Massachusetts General Laws relating to the application of rates set forth in the aforementioned Welfare Compensation Plan are hereby incorporated by reference.

SECTION 1. DEFINITIONS AND TERMS

As used in this by-law, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context or by the laws of the Commonwealth:

"Administrative Authority," the elected or appointed official or board having jurisdiction over a function or activity.

"Anniversary Year," is that year commencing on the first day of employment and terminating 365 days thereafter.

"Base Pay," is the compensation paid for the purposes of determining retirement credits and contributions for Town employees by the Town of Southborough.

The Town shall contribute funds as required for each eligible employee in accordance with the procedures and formula established by the Worcester Regional Retirement System and the by-laws of the Town of Southborough.

Contributions shall be made by the Town for:

1. Wages earned during the first eight (8) hours worked in any one day. No contributions shall be made for hours worked in excess of 40 hours per week.

2. Any lump sum bonus that is guaranteed as outlined in the Salary Administration Plan and the Personnel By-Laws of the Town and any collective bargaining agreement in force. Examples of lump sum bonuses are longevity pay and educational bonuses.

3. Vacation pay except when paid in lieu of taking vacation.

4. Sick pay.

5. Holiday pay.

"Casual Position," a position calling for part-time employment, which service does not constitute continuous service; this service is rendered occasionally and without regularity according to the demand therefore.

"Civil Service Law," Chapter 31 of the General Laws of the Commonwealth as amended and all rules and regulations made thereunder; and any special law enacted by the General Court regulating the classification compensation and conditions of employment of officers and employees of the Town under Chapter 31.

"Class," a group of positions in the Town service sufficiently similar in respect to duties and responsibilities so that the same descriptive title may be used to designate each position allocated to the class, that the same qualifications shall be required of the incumbents, that the same tests of fitness may be used to choose qualified employees and that the same scale of compensation can be made to apply with equity.

"Classification Schedule," the titles in Schedule A, B, C, D, E and F of Section 21 of this by-law.

"Compensation Grade," a range of salary/wage rates appearing in Schedules A, B, C, D, E & F.

"Continuous Full-Time Service," employment requiring a predetermined minimum work period and uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Continuous Employment," full-time or part-time employment uninterrupted except for authorized vacation leave, sick leave, bereavement leave, or other leave of absence.

"Department," a functional unit of Town government composed of one or more employees.

"Department Head," the person appointed to be responsible for carrying out the duties of a Department.

"Exempt Employee," Any employees who are paid a weekly salary.

"Employee," an employee retained in full-time employment.

"Full-Time Employment," employment for not less than 20 hours per week for fifty-two weeks per annum, minus legal holidays and authorized vacation leave, sick leave, bereavement leave, and other leaves of absence.

"Group," a group of classes appearing in Schedules A, B, C, D and E of Section 21.

"Increment," the dollar or percentage difference between step rates.

"Maximum Rate," the highest rate in a range which an Employee normally is entitled to attain.

"Minimum Rate," the rate in a range which is normally the hiring rate of a new employee.

"Non-exempt Employee," Any employees who are paid an hourly wage.

"Part-Time Employee," an employee working in part-time employment.

"Part-Time Employment," employment for less than Full-Time Employment, as defined above.

[Personal Rate deleted]

"Position," an office or post of employment in the Town service with duties and responsibilities calling for the Full-Time or Part-Time employment of one person in the performance and exercise thereof, or more than one person sharing the same position.

"Position Class," same as "Class," (a class may include only one position, in which event it is defined as a "single position class").

"Promotion," a change from a position of lower class and compensation grade to a position with greater responsibilities in a higher class and compensation grade.

"Range," the dollar difference between minimum and maximum rates of the assigned grade.

"Rate," a sum of money designated as compensation for personal services on an hourly, weekly, monthly, annual or other basis.

"Salary Schedule," Schedule B of Section 21.

"Single Rate," a rate for specific position class which is not in a designated range.

"Special Position," a position calling for Part-Time employment which, although constituting continuous employment, is not rendered during prescribed working hours, daily, weekly, or annually, but is rendered as required according to the demands for such service.

"Step Rate," rate in a range of compensation grade.

"Temporary Employee," (1) an employee retained in a temporary position as defined herein; (2) any employee holding a temporary appointment under Civil Service Law who does not also have permanent status thereunder.

"Temporary Position," or "Seasonal Position," any position in the Town service which requires or is likely to require the service of one incumbent for a period not exceeding six calendar months, either on a Full-Time or Part-Time basis.

"Town," the Town of Southborough.

SECTION 2. TITLES OF POSITIONS

No persons shall be appointed, employed or paid as an employee in any position subject to the provisions of the Salary Administration Plan and Personnel By-Laws under any title other than those of the Classification Schedule, or under any title other than that of the job, the duties of which are actually performed. The job title in the Classification Schedule of the Plan shall be the official title for all purposes having to do with the position and shall be used to designate the position in all payrolls, budget estimates and official reports, and in every other connection involving personnel and fiscal processes.

SECTION 3. NEW OR CHANGED POSITIONS

Before a new position is established, or the duties of an existing position are so changed that a new level or work demand exists and in effect a new position is created, upon presentation of substantiating data satisfactory to the Personnel Board, the Board shall rate such new changed position and allocate it to its appropriate classification grade and establish the rate change therefore.

SECTION 4. RECLASSIFICATION OF EMPLOYEES

No position may be reclassified to a classification in another grade, either higher or lower, until the Personnel Board shall have determined such a reclassification will be consistent with the provisions of the Salary Administration Plan and Personnel By-Laws.

SECTION 5. JOB DESCRIPTIONS AND INTERPRETATIONS

The Personnel Board shall maintain written job descriptions of the position classes in the Classification Schedule of the Plan, each consisting of a statement describing the essential nature of the work and characteristics that distinguish the class from other classes. Department Heads shall be required to retain current job descriptions and to submit revisions to the Personnel Board after review by the Board of Selectmen or their designated appointee or the appropriate Commissioners or Trustees. The description for any class shall not limit what the duties or responsibilities of any position shall be, or to modify or in any way affect the power of any administrative authority to appoint, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

SECTION 6. COMPENSATION

a. The weekly pay period shall begin at 12:01 a.m. Thursday and shall end at 12:00 a.m. the following Wednesday.

b. Non-exempt employees subject to this Salary Administration Plan shall be paid time and one-half hours worked in the excess of eight (8) in a calendar day and/or 40 hours in one calendar week, provided such hours of work have been authorized by the Department Head.

In addition, all service outside of a non-exempt employee's regularly scheduled tour of duty shall be at the overtime rate. Any employee who is recalled to duty hereunder shall be paid at the overtime rate for all such time and shall be guaranteed a minimum of two (2) hours overtime recall pay.

c. The Salary Schedule of the Salary Administration Plan and Personnel By-Laws set forth as Schedules A, B, C, D, E and F of Section 21 of this by-law, shall consist of the maximum and minimum salaries, in the Classification Schedule. The salary grade shall be the salary range for all position classes allocated to that grade.

d. Amounts paid to employees in reimbursement for expenses incurred in the performance of their duties such as mileage, meals, lodging, dues or similar job-related expenses shall be paid in addition to their compensation. All such payments shall be made as other charges and expenses to the extent budgeted by each department, board or commission. The rate of reimbursement shall be based upon the actual documented expenditure made by the employee, or at rates established by the Internal Revenue Service, supported by that agency's requirements for documentation.

SECTION 7. ADJUSTMENT POLICIES

a. Every employee subject to this plan and who is in continuous Full-Time service of the Town, computed from the date of his/her latest employment, shall be eligible annually for consideration of a merit increase advance to the next higher step rate, one year from the date of his/her latest increase. Such increase is not to exceed one step rate in any single twelve month period until the maximum of the grade is obtained, subject to the approval of the Department Head, and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and the Personnel Board. An evaluation of the employee's performance, in format approved by the Personnel Board, must accompany a letter requesting a merit increase. The Employee shall appear before the Personnel Board prior to it acting on any request for a merit increase. Any employee denied such an increase has the right to appeal, in writing to the Personnel Board, which shall confer with the employee, the Department Head and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and shall decide the matter. The Personnel Board shall approve all adjustments, in advance.

b. Regular Part-Time employees in Schedule C shall be eligible for consideration for merit increases within their grade (between 0 and 4%) one year from the date of their last increase. Special, casual and other Part-Time personnel for whose positions there is a single rate established in Schedule D of Section 21, shall not be eligible for step rate increases.

SECTION 8. TRANSFERS AND PROMOTIONS

a. An employee who is promoted to a job with a higher rate range, or rate of pay shall enter it at the rate recommended by the Department Head with the approval of the Personnel Board, but in no event at a rate in excess of the maximum for such job. The employee may also receive at the time a one step rate increase, provided the maximum for the job is not exceeded, if the Department Head recommends that qualifications and performance warrant it and the Personnel Board approves. If the Department Head feels that there should be a trial period before recommending the promotional one step rate increase, on recommendation of the Department Head, the Personnel Board may approve such a deferred promotional increase at the conclusion of the trial period, not to exceed three (3) months.

b. An employee transferred to a job with a lower rate range, or rate of pay, shall enter it at the rate paid for the previous position or at the maximum rate for the job, whichever is the lower, provided the Personnel Board approves. The employee shall have a right to appeal to the Personnel Board and to be heard thereon, and the Personnel Board shall decide the matter.

SECTION 9. NEW PERSONNEL

a. Physical examinations are required of all employees before being hired consistent with the Town's policies.

b. The hiring rate shall be the minimum of the rate range of the job for which the new employee is hired, unless otherwise authorized by the Personnel Board. Department Heads shall notify the Personnel Board of the hiring of all personnel and their hiring rates.

c. For new regular full-time and new regular part-time personnel for whose positions there is a rate range and step rates, the first six months of employment shall be a probationary period at the end of which the employee may advance one step rate, provided that the Department Head and the Personnel Board decide the employee's performance warrants it. The employee shall thereafter be reviewed for a step rate increase one year from the date of the employee's latest increase. This probationary step rate increase shall apply only at the start of employment and shall not apply in case of transfer or promotion from one job to another.

d. During a new employee's probationary period the employee will earn vacation, sick and personal time in accordance with the schedules set forth in Section 11 b (1) and c (4).

SECTION 10. DEPARTMENT BUDGETS

Each Department Head shall include in the annual budget a pay adjustment section to provide funds for anticipated pay adjustment during the ensuing year, expenditures to be made therefrom only in accordance with the Salary Administration Plan and Personnel By-Laws with the approval of the Personnel Board.

SECTION 11. EMPLOYEE BENEFITS

Employee benefits, such as holiday and vacation with pay, sick leave and other such matters, are a cost item to the Town and a form of "indirect pay," and included in the coverage of the Salary Administration Plan and Personnel By-Laws, both those included in the Plan at its adoption and any other which may be included in the future.

a. Holidays with Pay

Each eligible Employee shall receive one day's pay at their regular straight time rate for the following holidays:

New Year's Day
Martin Luther King's Birthday
Presidents' Day
Patriot's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving Day
Christmas Day
Day before or after Christmas Day

To be eligible for holiday pay, an Employee must work both their regular scheduled day preceding and their regular scheduled day following the holiday, or be excused from work pursuant to the provisions for absences with pay listed in the next Section. **Employees must work 20 hours or more per week on a regular basis to be compensated for holidays.**

An Employee whose regular day off falls on a holiday may elect to have one day off with pay in the following week in lieu of holiday pay, providing the choice of day is approved by the Department Head.

Details as to administrative policies and practices relative to holidays with pay shall be prepared and established under the direction of the Personnel Board.

b. Vacations with Pay

(1) Regular Full-Time Employees who have been in the continuous employ of the Town, as such, shall be paid their regular week's pay or portion thereof as vacation pay in accordance with the following schedule:

Employed for	Hours Earned per month
0-5 years	6.666 hours per month
5-10 years	10.0 hours per month
10-15 years	13.333 hours per month
15 or more years	16.666 hours per month

(2) New employees entering into a position with the Town of Southborough from a similar position in another municipality or similar government agency, will, at the recommendation of the hiring authority, and the approval of the Personnel Board, be allowed to enter into the vacation schedule using their years of service from their prior employment. The probationary period would still apply and no more than three weeks vacation could be used within the first year of employment with the Town of Southborough.

(3) Vacations shall be granted by Department Heads at such time as, in their opinion, will cause the least interference with the performance of the regular work of the

Departments. An Employee shall be permitted to carry over up to one year's earned vacation. The Employee must have the Department Head's approval to take any portion of a prior year's unused vacation in addition to the days earned in the current fiscal year.

(4) Vacation accrual shall be increased based on the above schedule, and shall be effective on the anniversary of the employee's date of hire.

(5) If, in the opinion of the Department Head, there are unusual circumstances that warrant it, an Employee may, upon request, continue at work and receive vacation pay in lieu of taking vacation.

(6) In the event of termination of employment, which is caused through no fault of the Employee, or by reason of retirement, the Employee shall be paid, or be entitled to time off with pay, for any accumulated vacation time prorated on the basis of service since the Employee's preceding vacation. In the event of the death of any Employee, any accumulated vacation pay shall be paid to the Employee's estate.

(7) Vacation administrative policies and practices shall be prepared and established under the direction of the Personnel Board.

c. Sick Leave

(1) All regular Full-Time Employees shall be entitled to fifteen (15) days sick leave per year. Unused sick leave may be accumulated without limitation. Pay for each day of sick leave shall be at the rate of a regular day's pay. Absences on account of sickness in excess of that authorized may, at the discretion of the Department Head and the Personnel Board, be charged to vacation leave. Sick leave shall be payable only in cases of bona fide illness, non-work-connected accident, or work-connected accidents not covered by Massachusetts General Laws annotated Chapter 152 (Workers' Compensation). At retirement, the Town will pay the Employee twenty (20%) of the Employee's then-accumulated sick leave.

(2) Employees who because of sickness or a non-work-connected accident are absent for a period of more than three (3) days shall be required to present a doctor's certificate to their Department Head stating reason and period of time the Employee will be absent from work. The above section is not to be construed by an
Employee or Department Head for time off for any sickness caused by over-indulgence in alcohol or narcotics or by his or her misconduct.

(3) An Employee may use up to seven (7) of the allowed fifteen (15) days of sick leave for the care of a sick family member who, in the opinion of the Department Head, is closely associated with the Employee.

(4) Details as to sick leave administrative policies and practices shall be as prepared and established under the direction of the Personnel Board. Each employee under this plan shall accrue 10 sick hours per month, equaling 120 hours annually (15 sick days); part-time employees will be compensated by a formula based on hours worked per week.

d. Personal Days

Each Employee shall be entitled to three (3) personal days per year. A Department Head may honor the request for a personal day made by any member of their Department who may have a normally accepted need for a personal day. However, in no event shall personal days for any one Employee exceed three days per year nor shall personal days accumulate from year to year. Personal days shall be granted annually on an employee's anniversary date. New employees shall be granted three (3) personal days when they commence employment.

e. Workers' Compensation

Workers' Compensation benefits shall be paid in accordance with the Town's Worker's Compensation Plan.

f. Military Leave

An employee in Full-Time employment in the military reserve shall be paid the difference between compensation received while on reserve duty and regular compensation rates paid to that employee by the Town. Such payment by the Town shall be limited to a period not to exceed two weeks in any twelve-month period and shall not include payment to members of the National Guard who may be mobilized during an emergency in the Commonwealth.

g. Jury Duty

Any employee who is called to jury duty shall receive an amount equal to the difference between their normal compensation and the amount (excluding any travel allowance) received from the court, upon presentation of evidence of the amount paid by the court.

h. Miscellaneous Paid Time Off

Working time lost from regularly scheduled work days for reasons listed below shall be without loss of pay, provided such lost time is with authorization of the Department Head:

(1) Bereavement leave - In the event of the death of a spouse, father, mother, children, father-in-law, mother-in-law, brother or sister, grandparent or of any person residing with the family of an employee, such employee shall be entitled to receive three (3) days leave for the purpose of the funeral arrangements and burial of said deceased. In the event that travel is required out of state, the Department Head in his or her discretion may authorize two (2) additional days of travel time.
(2) Inoculation required by Municipal Employer.
(3) Red Cross blood donation authorized by the Department.
(4) Medical examinations required by employer.
(5) Attendance at educational programs required or authorized by Town or Department.

i. Court Time Pay

Any employee who normally is on duty at night, or is on vacation, furlough or day off, who is required to attend Court as a witness or in any other capacity arising from the performance of his/her duty or in behalf of the Commonwealth or the Town in any civil or criminal case pending in any Court or before any official governmental board or agency shall be entitled to overtime compensation for every hour or fraction thereof during which they attend or appear, but in no event less than three (3) hours of such overtime pay.

j. Employee Educational Support

(1) Degree Incentives

All Full-Time employees subject to the provisions of the Salary Administration Plan and Personnel By-Laws who have earned credits leading to a degree while an employee of the Town in a field applicable to their position in a degree granting program from an accredited college or university, shall receive a one-time bonus, according to the following schedule:

Associates Degree......	$ 800.00
Bachelors Degree.......	$1,200.00
Masters Degree..........	$1,500.00

A copy of the completed transcript or diploma or other appropriate evidence of the completed degree must be presented to the Department Head and a copy to the Board of Selectmen who shall maintain complete and ongoing records for participants.

(2) Tuition Reimbursement

The Town will provide tuition reimbursement to any full time employee, provided that the course is accredited and pertains to the employee's specific job or position. Such information shall be presented to the Department Head, in writing, prior to enrollment in the course.

(3) Approval

The employee must meet the following conditions to obtain the commitment of Town funds prior to registration **for the class** by the employee:

(a) Obtain the approval of either:
  (i) The Department Head and the Board of Selectmen or their designated appointee, or
  (ii) The appropriate Commissioners or Trustees and the Personnel Board,
(b) The employee assumes responsibility for payment; and

(c) An approved purchase order is issued prior to registration by the employee’s Department Head.

(4) With respect to tuition reimbursement, the employee must attain a grade for the course of “B-” or better and present written verification of such grade to the Department Head to be included with the purchase order when reimbursement is sought.

l. Maternity/Paternity Leave

(1) Any employee who has completed the initial probationary period of six months, who is absent from such employment for a period not exceeding twelve weeks for the purpose of giving birth, caring for a newborn child or adoption of a child, said period to be hereinafter called maternity or paternity leave, and who shall give at least two weeks' notice to his/her Department Head or supervisor of departure and intention to return, shall be restored to his/her previous or a similar position with the same status pay, length of service credit and seniority, where applicable, and other employment benefits for which he/she was eligible on the date his/her leave commenced.

(2) Accrued sick leave benefits shall be provided for maternity/paternity leave purposes under the same terms and conditions which apply to other temporary medical disabilities.

(3) Such maternity/paternity leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit benefits, plans or programs for which he/she was eligible at the date of his/her leave, and any other advantages or rights of his/her employment incidental to his/her employment position.

m. Group Insurance

The Town will contribute fifty percent (50%) of the cost of an indemnity plan for medical coverage or eighty percent (80%) of the cost of the Health Maintenance Organization plan.

SECTION 12. LEAVE OF ABSENCE

a. A leave of absence for valid reasons may be granted by a Department Head, but shall be without compensation.

b. Leaves of absence of over three months' duration, except military leave, shall be considered a break in employment, and on return to work the employee shall have the status of a new employee unless an extension of leave beyond three months has been authorized by the Personnel Board **and/or the Board of Selectmen or appointing authority**.

SECTION 13. TRANSITIONS BETWEEN FULL-TIME AND PART-TIME STATUS

a. A Part-Time employee shall be eligible for Full-Time (employee) status when the employee has worked over 20 hours a week for a period of at least three consecutive months. This status change requires prior approval by the appropriate Department Head.

b. A Full-Time employee whose hours of employment total less than 20 hours per week, exclusive of legal holidays and authorized vacation leave, sick leave, bereavement leave and other authorized leaves of absence for a period of more than three consecutive months, shall be considered to be a Part-Time employee.

SECTION 14. APPOINTMENT OF “ACTING” DEPARTMENT HEADS

a. The Board of Selectmen or the appropriate commissioners or trustees may appoint, where necessary, in the case of the absence of a Department Head for three (3) consecutive weeks, excluding vacation periods, an “Acting” Department Head.

b. These “Acting” employees shall be compensated at an additional step rate of 10% per week. Such pay shall be retroactive only upon the conclusion of three (3) consecutive weeks of service by the “Acting” Department Head.

c. While on “Acting” status, which should be no longer than three (3) months, an employee shall still be eligible for overtime pay when fulfilling regular duties from the previous job beyond normal working hours. **Appointments beyond three months must be approved by the Board of Selectmen or appointing authority**.

SECTION 15. PERSONNEL BOARD

a. There shall be a Personnel Board to administer the Salary Administration Plan and Personnel By-Laws. Said Board to be appointed by the Moderator, consisting of five voters other than employees of the Town or those regularly serving the Town in any elective capacity. They shall serve without compensation.

b. Future appointments shall be for three years. The Moderator shall fill any vacancies. All members shall continue to hold office until their successors have been appointed and qualified. The Personnel Board may employ assistance and incur expenses as it deems necessary, subject to appropriation of funds thereof.

SECTION 16. DUTIES OF THE PERSONNEL BOARD

a. The Personnel Board shall administer the Salary Administration Plan and Personnel By-Laws and shall establish such policies, procedures and regulations as it deems necessary for the administration of the Plan.

b. The Board shall meet annually in July and organize by the choice of a Chairman and Clerk. The Board shall meet at least monthly, except for the month of August. A majority of the Board shall constitute a quorum for the transaction of business. The votes of the majority of all the members of the Board shall be necessary on any matter upon which it is authorized to or required to pass under the Salary Administration Plan and Personnel By-Laws.

c. The Personnel Board shall maintain records of all employees subject to this Plan, included therein such information as it deems desirable, including without limitation personnel evaluations. Such records are to be kept by the Assistant Town Administrator, under the direction of the Personnel Board. Department Heads shall furnish such information as shall be requested by the Board. The Town Accountant shall also assist the Personnel Board in reviewing matters covered by the Plan and shall bring any issues relating to payment or accounting to the attention of the Board prior to payment.

d. The Personnel Board, from time to time, shall review the Classification Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. The Personnel Board may tentatively add a new class to the Classification Schedule or reallocate an existing class to a different compensation grade, either higher or lower, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting.

e. On or before November 10th of each year the Personnel Board may vote an annual adjustment to the Classification Schedule and establish the effective rate for Step 9 employees of each grade for the next fiscal year, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting. The Personnel Board shall base any annual adjustments upon available relevant information, including, but not limited to U.S. Department of Labor Cost of Living indices and salaries paid by equivalent towns for comparable positions.

f. Notwithstanding the foregoing the Personnel Board shall reserve the right to vote no adjustment as long as such determination is voted on or before November 10th of each year.

g. The Personnel Board shall, from time to time, review the Salary Schedule and administration policies of the Salary Administration Plan and Personnel By-Laws. It shall keep informed as to pay rates and policies outside the services of the Town, and shall recommend to the Town any action which it deems desirable to maintain a fair equitable pay level.

h. Matters that are sent to the Chairman of the Personnel Board by registered mail must be brought before the Board at its next scheduled meeting. Failure of the board to vote to approve or disapprove requests within thirty (30) days of that meeting shall constitute approval of the request. In addition, notice in writing shall be forwarded to the concerned employee and respective Department Head within three (3) days of the Board's decision. Notwithstanding, if the Personnel Board shall so request and the concerned employee and his/her Department Head shall mutually agree, a reasonable extension of these time periods may be granted.

i. Upon recommendation of a Department Head, supported by evidence in writing of special reasons and exceptional circumstances satisfactory to the Personnel Board, said Board may authorize an entrance rate higher than the minimum rate for a position, and such other variances in the Salary Administration Plan and Personnel By-Laws as it may deem necessary for the proper functioning of the services of the Town, and to effectuate the basic intent of the Plan.

SECTION 17. EMPLOYEES AND THE PERSONNEL BOARD

a. All employees presently covered by this Plan shall have the right to request an appointment to confer with the Board on any matter which is of interest or concern to them and which is covered by the Salary Administration Plan and Personnel By-Laws. The employee shall notify the Department Head in writing in advance of his/her desire to discuss the matter with the Board. One of the duties of the Board shall be to foster mutual understanding and good will with the personnel of the Town.

b. To facilitate this, if any employee should feel aggrieved by the operation of any provision of the Plan, he/she shall first discuss the matter with his/her Department Head, in a mutual effort to clear up any problems or misunderstanding.

c. If two weeks after such a conference, a satisfactory understanding and solution of the problem has not been reached, then either the Department Head or the employee may take the matter to the Board. The Board shall hear the parties not later than its next regular meeting. There shall be no discrimination or prejudice by a Department Head against any employee who may take a matter to the Board.

SECTION 18. AMENDMENT OF THE PLAN

The Salary Administration Plan and Personnel By-Laws may be amended in the same manner in which Town By-Laws may be amended; provided, however, that no amendment to the Plan shall be made until it has been presented by a signed petition addressed to and submitted to the Personnel Board, and acted upon by the Board. Upon receipt of such a written petition, the Board, after giving the petitioners, the Department Heads and employees affected at least one week's written notice, shall hold a hearing of the parties interested to consider the proposed amendment. If the Personnel Board shall approve of any such proposed amendment, it shall take the proper steps to bring the proposed amendment before the next annual Town Meeting for its consideration and action. If the Personnel Board shall disapprove any such proposed amendment, and failure to act thereof within fifteen days after the hearing shall be deemed disapproved, the petition may then be presented to the next Annual Town Meeting for its consideration and action, if so desired. The Board of its own motion, after a similar hearing and/or conference with parties interested, may propose an amendment to the Plan.

SECTION 19. CIVIL SERVICE LAW

Nothing in this by-law, or in the Salary Administration Plan and Personnel By-Laws, shall be construed to conflict with Chapter 31 of the General Laws, which is the Chapter dealing with the Civil Service Law.

SECTION 20. SEVERABILITY PROVISION

In the event that any provision of this by-law, or application thereof, shall be held to be invalid by the proper authorities, this shall not be construed to affect the validity of any other provision, or application thereof, of this by-law.

SECTION 21: CLASSIFICATION SCHEDULE

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9
I	30,000	31,200	32,448	33,746	35,096	36,500	37,960	39,478	*
II	35,000	36,400	37,856	39,370	40,945	42,583	44,286	46,058	*
III	40,000	41,600	43,264	44,995	46,794	48,666	50,613	52,637	*
IV	45,000	46,800	48,672	50,619	52,644	54,749	56,939	59,217	*
V	55,000	57,200	59,488	61,868	64,342	66,916	69,593	72,376	*
VI	60,000	62,400	64,896	67,492	70,192	72,999	75,919	78,956	*
VII	75,000	78,000	81,120	84,365	87,739	91,249	94,899	98,695	*

Note 1: Step 9 of the Classification Schedule will be addressed per Section 16 (e) of this plan.

SCHEDULE A: FULL-TIME SALARY GRADED POSITIONS

Maintenance Custodian (Hourly)	I
Staff Librarian (Hourly)	I
After-School Program Coordinator	II
Assistant Director, Council on Aging	II
Maintenance Mechanic	II
Outreach Coordinator	II
Program Coordinator, Recreation Commission	II
Assistant Director, Youth & Family Services	III
Children's Librarian	III
Maintenance Supervisor	**III**
Staff Engineer	III
Assistant Town Administrator	IV
Director, Council on Aging	IV
Director of Recreation Commission	IV
Assistant Superintendent, DPW	V
Building Inspector	V
Facilities Manager	V
Library Director	V
Police Lieutenant	**V**
Principal Assessor	V
Public Health Director	V
Town Accountant	V
Town Planner	V
Town Engineer	**V**
Treasurer-Collector	V
Director, Youth & Family Services	V
Finance Director	VI
Superintendent of Public Works	VII

SCHEDULE B: (Reserved)

SCHEDULE C: PART-TIME HOURLY GRADED POSITIONS

Library Page (P.T.)	1
Seasonal Laborer	1
Seasonal Laborer II	2
Summer Program Assistant, Youth Commission	2
Election Worker (P.T.)	3
Page, Library	3
Election Warden (P.T.)	4
Clerk, Library	5
Library Custodian	5
Substitute Custodian	5
Police Dispatcher	8
Receptionist	8
Secretary, Town Committee	8
Reserve Police Officer	9
Tree Warden	11
Administrative Assistant	**11**
Animal Control Officer	**11**
Electrician	**13**

Hourly Rates for Part-Time Positions

Grade	Minimum	Maximum
1	$5.15	$7.70
2	$8.34	$12.35
3	$8.84	$12.98
4	$9.26	$13.78
5	$9.71	$14.49
6	$10.25	$15.22
7	$10.73	$15.95
8	$11.26	$16.77
9	$11.82	$17.62
10	$12.54	$18.66
11	$13.87	$20.70
12	$21.00	$28.00
13	$29.00	$41.00

SCHEDULE D: FIRE DEPT COMPENSATION (Positions not covered by Coll. Bargaining Agreement)

Grade	Proposed Pay Structure	Drills	Boxes	Signal 55
1	Firefighter (Entry Level)	0.00	0.00	0.00
2	Firefighter I Certified	18.00	16.00	16.00
3	Firefighter I/II Certified	19.00	17.00	17.00
4	Firefighter I Certified/Operator	20.00	18.00	18.00
5	Firefighter I/II Certified/Operator	21.00	19.00	19.00
6	EMT (Entry Level)	0.00	0.00	0.00
7	EMT	18.00	16.00	16.00
8	EMT-I	20.00	18.00	18.00
9	Firefighter I Certified/EMT	20.00	18.00	18.00
10	Firefighter I/II Certified/EMT	21.00	19.00	19.00
11	Firefighter I Certified/Operator/EMT	22.00	20.00	20.00
12	Firefighter I/II Certified/Operator/EMT	23.00	21.00	21.00
13	Lieutenant	24.00	22.00	22.00
14	Lieutenant/EMT	26.00	24.00	24.00

SCHEDULE E: MISCELLANEOUS ANNUAL COMPENSATION SCHEDULE

Clerk, Board of Registrars	$1,638.33
Registrar of Voters	$205.66
Town Counsel (plus fees)	$1,704.33
Veterans' Agent and Director of Veterans' Services	$9,836.68

SCHEDULE F: FEE BASED COMPENSATION (Recreation Seasonal Personnel)

Junior Playground Counselor	1
Senior Playground Counselor	2
Assistant Instructor	2
Assistant Supervisor	3
Monitors	3
Lifeguards	4
Instructors I	5
School Monitors	6
Activity Coordinator	6
Program Driver	6
Coordinator/Supervisor	11
Instructor II	12
Master Instructor	13
Nurse	13

LONGEVITY SCHEDULE
Full-Time Employees: 20 Hours or more Note: Compensated on an annual basis

After 5 years	$400
After 10 years	$600
After 15 years	$700
After 20 years	$850
After 25 years	$1,000
After 30 years	$1,200
After 40 years	$1,500

ARTICLE 5: That the Town amend the Salary Administration Plan by deleting it in its entirety and replacing it with a new Salary Administration Plan, as printed in the warrant.
MOTION CARRIES by MAJORITY.

ARTICLE 6: That the Town raise a sum of money not to exceed the sum of $38,109,094 as may be necessary for the Town's use, and make appropriations for the same. (Proposed by the Board of Selectmen)

MOTION MADE: To divide the question.
MOTION PASSED UNANIMOUSLY.

MOTION MADE: To take an umbrella vote on those budgets that do not have a hold on them. This one vote will have the affect of voting each separately.
MOTION PASSED UNANIMOUSLY.

MOTION MADE: To pass all budgets that do not have hold on them.
MOTION PASSED UNANIMOUSLY.

100-199 GENERAL GOVERNMENT

110-119 Legislative

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
114 MODERATOR						
51000-51990 Personal Services	50	50	50	50	50	
57000-57990 Other Charges and Expenses	50	50	50	50	50	
MODERATOR TOTAL	100	100	100	100	**100**	0.0%

121-129 Executive

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
121 ELECTED BOARD OF SELECTMEN						
51000-51990 Personal Services	3,000	3,000	3,000	3,000	3,000	
ELECTED BOARD OF SELECTMEN TOTAL	3,000	3,000	3,000	3,000	**3,000**	0.0%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
122 BOARD OF SELECTMEN						
51000-51990 Personal Services	181,631	181,473	186,672	177,034	178,644	
52000-53990 Purchase of Services	5,323	2,354	3,070	6,550	6,550	
54000-55990 Supplies	2,815	1,649	2,065	2,065	2,065	
57000-57990 Other Charges and Expenses	7,301	6,281	6,150	8,275	8,275	
BOARD OF SELECTMEN TOTAL	197,070	191,757	197,957	193,924	**195,534**	-1.2%

131-149 Financial Administration

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
131 ADVISORY COMMITTEE						
57000-57990 Other Charges and Expenses	135	135	135	180	180	
ADVISORY COMMITTEE TOTAL	135	135	135	180	**180**	+33.3%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
132 RESERVE FUND						
57000-57990 Other Charges and Expenses	250,000	188,222	250,000	250,000	250,000	
RESERVE FUND TOTAL	250,000	188,222	250,000	250,000	**250,000**	0.0%

MOTION MADE: That the Reserve Fund ($250,000) be reduced by $50,000 to a new total of $200,000.
MOTION PASSED UNANIMOUSLY.

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
135 TOWN ACCOUNTANT						
51000-51990 Personal Services	106,173	125,191	131,316	135,552	139,011	
52000-53990 Purchase of Services	200	6,269	4,200	4,200	4,200	
54000-55990 Supplies	700	612	800	800	800	
57000-57990 Other Charges and Expenses	50	89	100	100	100	
58000-58990 Capital Outlay	250	0	300	300	300	
TOWN ACCOUNTANT TOTAL	107,373	132,161	136,716	140,952	**144,411**	5.6%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
136 AUDIT						
52000-53990 Purchase of Services	19,500	19,500	19,500	20,000	20,000	
AUDIT TOTAL	19,500	19,500	19,500	20,000	**20,000**	2.6%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
140 ELECTED BOARD OF ASSESSORS						
51000-51990 Personal Services	2,250	2,250	2,250	2,250	2,250	
ELECTED BOARD OF ASSESSORS TOTAL	2,250	2,250	2,250	2,250	**2,250**	0.0%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
141 ASSESSORS						
51000-51990 Personal Services	122,003	124,552	130,283	132,288	134,762	
52000-53990 Purchase of Services	21,800	28,140	37,100	20,300	20,300	
54000-55990 Supplies	5,100	4,457	5,600	5,600	5,600	
57000-57990 Other Charges and Expenses	4,200	5,244	5,700	5,700	5,700	
58000-58990 Capital Outlay	0	0	0	0	0	
ASSESSORS TOTAL	153,103	162,393	178,683	163,888	**166,362**	-6 9%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
145 TREASURER/COLLECTOR						
51000-51990 Personal Services	173,000	144,937	178,946	182,439	185,039	
52000-53990 Purchase of Services	6,500	16,423	9,520	6,865	6,865	
54000-55990 Supplies	6,000	4,161	3,500	3,670	3,670	
57000-57990 Other Charges and Expenses	5,000	4,794	2,925	3,050	3,050	
TREASURER COLLECTOR TOTAL	190,500	170,315	194,891	196,024	**198,624**	1.9%

151-159 Operations Support

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
151 LEGAL						
52000-53990 Purchase of Services	60,000	99,198	95,000	95,000		
LEGAL TOTAL	60,000	99,198	95,000	95,000	**95,000**	0.0%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
152 PERSONNEL BOARD						
52000-53990 Purchase of Services	4,200	3,120	3,195	3,195	3,195	
54000-55990 Supplies	0	0	50	50	50	
57000-57990 Other Charges and Expenses	0	0	120	120	120	
PERSONNEL BOARD TOTAL	4,200	3,120	3,365	3,365	**3,365**	0.0%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
153 SPECIAL LEGAL COUNSEL						
52000-53990 Purchase of Services	65,000	136,099	55,000	55,000	55,000	
SPECIAL LEGAL COUNSEL TOTAL	65,000	136,099	55,000	55,000	**55,000**	0.0%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
155 MANAGEMENT INFORMATION SYSTEMS						
20 GEOGRAPHIC INFORMATION SYSTEMS						
52000-53990 Purchase of Services	36,400	19,270	36,200	37,600	37,600	
54000-55990 Supplies	2,000	0	2,000	2,000	2,000	
58000-58990 Capital Outlay	4,600	0	0	0	0	
Geographic Information Systems Total	43,000	19,270	38,200	39,600	39,600	
21 OTHER INFORMATION SYSTEMS						
52000-53990 Purchase of Services	101,648	163,021	102,176	105,900	105,900	
54000-55990 Supplies	8,260	3,169	5,840	5,900	5,900	
58000-58990 Capital Outlay	13,100	23,255	23,700	19,350	19,350	
Other Information Systems Total	123,008	189,445	131,716	131,150	131,150	
MANAGEMENT INFORMATION SYSTEMS TOTAL	166,008	208,715	169,916	170,750	**170,750**	0.5%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
159 OTHER OPERATION SUPPORT						
51000-51990 Personal Services	29,328	32,095	34,875	37,216	37,216	
52000-53990 Purchase of Svcs	68,124	65,649	75,001	81,575	81,575	
54000-55990 Supplies	4,066	2955	5,658	5,953	5,953	
58000-58990 Capital Outlay	2,000	0	0	0	0	
OTHER OPERATION SUPPORT TOTAL	103,518	100,699	115,534	124,744	**124,744**	8.0%

160-169 Licensing and Registration

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
160 ELECTED TOWN CLERK						
51000-51990 Personal Services	25,000	25,000	30,000	35,000	35,000	
ELECTED TOWN CLERK TOTAL	25,000	25,000	30,000	35,000	35,000	16.7%

MOTION MADE: That the Budget of the Elected Town Clerk Salary ($35,000) be reduced by $5,000 to a new total of $30,000.

MOTION PASSED UNANIMOUSLY.

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
161 TOWN CLERK						
51000-51990 Personal Services	40,501	41,581	43,706	45,365	45,365	
52000-53990 Purchase of Services	560	1,257	2,060	2,060	2,060	
54000-55990 Supplies	900	589	800	800	800	
57000-57990 Other Charges and Expenses	1,190	170	310	345	345	
58000-58990 Capital Outlay	500	0	0	0	0	
TOWN CLERK TOTAL	43,651	43,597	46,876	48,570	**48,570**	3.6%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
162 ELECTIONS & REGISTRATION						
51000-51990 Personal Services	48,025	52,178	44,389	54,953	54,953	
52000-53990 Purchase of Services	14,000	11,555	13,795	18,945	18,945	
54000-55990 Supplies	1,557	1,912	905	1,915	1,915	
57000-57990 Other Charges and Expenses	2,175	239	375	425	425	
58000-58990 Capital Outlay	500	114	0	0	0	
ELECTIONS & REGISTRATION TOTAL	66,257	65,998	59,464	76,238	**76,238**	28.2%

171-179 Land Use

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
171 CONSERVATION COMMISSION						
51000-51990 Personal Services	20,595	25,246	28,056	34,657	34,657	
52000-53990 Purchase of Services	3,015	2,056	2,450	2,400	2,400	
54000-55990 Supplies	180	698	200	575	575	
57000-57990 Other Charges and Expenses	500	60	525	700	700	
58000-58990 Capital Outlay	0	0	200	0	0	
CONSERVATION COMMISSION TOTAL	24,290	28,060	31,431	38,332	**38,332**	22.0%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
175 PLANNING BOARD						
5100-51990 Personal Services	96,945	96,945	100,308	114,555	117,346	
52000-53990 Purchase of Services	1,500	1,310	3,610	4,910	4,910	
54000-55990 Supplies	610	860	1,360	2,475	2,475	
57000-57990 Other Charges and Expenses	3,970	4,009	5,743	5,819	5,819	
PLANNING BOARD TOTAL	101,004	103,124	111,021	127,759	**130,550**	17.6%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
176 ZONING BOARD OF APPEALS						
51000-51990 Personal Services	8,531	8,770	9,934	9,217	9,217	
52000-53990 Purchase of Services	3,400	3,700	3,700	3,700	3,700	
54000-55990 Supplies	180	180	180	180	180	
ZONING BOARD OF APPEALS TOTAL	12,111	12,650	13,814	13,097	**13,097**	-5.2%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
177 OPEN SPACE						
52000-53990 Purchase of Svcs	0	303	900	900	900	
54000-55990 Supplies	0	355	300	300	300	
OPEN SPACE TOTAL	0	658	1,200	1,200	**1,200**	0.0%

191-199 Other

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
192 PUBLIC BUILDINGS AND PROPERTIES MAINTENANCE						
51000-51990 Personal Services	173,479	191,134	272,975	275,128	291,542	
52000-53990 Purchase of Svcs	187,737	186,750	165,640	206,950	206,950	
54000-55990 Supplies	92,355	95,875	26,875	39,000	39,000	
57000-57990 Other Charges & Expenses	610	810	1,535	1,535	1,535	
58000-58990 Capital Outlay	0	0	0	0	0	
PUBLIC BLDGS. & PROPERTY MAINT. TOTAL	454,181	474,569	467,025	522,613	**539,027**	15.4%

200-299 Public Safety

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
210 POLICE DEPARTMENT						
51000-51990 Personal Services	1,236,502	1,143,055	1,205,729	1,428,402	1,429,513	
52000-53990 Purchase of Services	44,934	45,811	53,295	60,250	60,250	
54000-55990 Supplies	7,700	15,390	14,260	17,050	17,050	
57000-57990 Other Charges and Expenses	12,100	5,230	2,100	2,760	2,760	
58000-58990 Capital Outlay	4,000	3,964	4,000	4,000	4,000	
POLICE DEPARTMENT TOTAL	1,305,236	1,213,450	1,279,384	1,512,462	**1,513,573**	18.3%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
220 FIRE DEPARTMENT						
51000-51990 Personal Services	1,452,488	1,387,853	1,370,193	1,459,644	1,459,644	
52000-53990 Purchase of Services	45,395	99,900	85,259	92,788	92,788	
54000-55990 Supplies	30,034	53,356	44,563	45,343	45,343	
57000-57990 Other Charges and Expenses	3,975	4,090	3,230	3,395	3,395	
58000-58990 Capital Outlay	4,105	7,764	3,100	4,000	4,000	
FIRE DEPARTMENT TOTAL	1,535,997	1,552,963	1,506,345	1,605,170	**1,605,170**	6.6%

MOTION MADE: To reduce the budget of the Fire Department ($1,605,170) by $6,400 to a new total of $1,598,770.
MOTION PASSED UNANIMOUSLY.

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
241 BUILDING DEPARTMENT						
51000-51990 Personal Services	88,006	84,923	90,272	90,613	93,290	
52000-53990 Purchase of Services	395	395	395	975	975	
54000-55990 Supplies	480	480	480	480	480	
57000-57990 Other Charges and Expenses	1,505	1880	1,880	1,880	1,880	
58000-58990 Capital Outlay	500	500	500	0	0	
BUILDING DEPT. TOTAL	90,886	88178	93,527	93,948	**96,625**	3.3%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
291 CIVIL DEFENSE						
51000-51990 Personal Services	854	1,227	926	1,011	1,011	
52000-53990 Purchase of Services	1,561	1,146	400	400	400	
54000-55990 Supplies	600	0	400	400	400	
57000-57990 Other Charges and Expenses	0	0	0	0	0	
58000-58990 Capital Outlay	500	0	0	0	0	
CIVIL DEFENSE TOTAL	3,515	2,373	1,726	1,811	1,811	4.9%

MOTION MADE: That the budget of the Civil Defense ($1,811) be reduced by $85 to a new total of $1,726.
MOTION PASSED UNANIMOUSLY.

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
292 ANIMAL CONTROL OFFICER and ANIMAL INSPECTOR						
51000-51990 Personal Services	32,611	23,000	19,000	25,500	25,500	
52000-53990 Purchase of Services	7,300	7,100	7,100	400	400	
54000-55990 Supplies	0	500	500	100	100	
ANIMAL CONTROL OFFICER TOTAL	39,911	30,600	26,600	26,000	**26,000**	-2.3%

400-499 Public Works & Facilities

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
420, 430, 490 DEPT. OF PUBLIC WORKS (Highway, Cemetery, Tree)						
51000-51990 Personal Services	738,501	879,520	779,224	796,898	796,898	
52000-53990 Purchase of Services	414,286	497,465	465,847	487,100	487,100	
54000-55990 Supplies	152,550	313,227	251,700	266,950	266,950	
56000-56990 Intergovernmental	0	2,500	2,500	2,500	2,500	
57000-57990 Other Charges and Expenses	800	8	100	100	100	
58000-58990 Capital Outlay	5,000	5,025	5,000	5,000	5,000	
ALL OTHER DEPT. OF PUBLIC WORKS TOTAL	1,311,137	1,697,745	1,504,371	1,558,548	**1,558,548**	3.6%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
450 DEPT. OF PUBLIC WORKS - WATER						
51000-51990 Personal Services	341,632	351,337	356,063	344,288	346,645	
52000-53990 Purchase of Services	732,590	111,847	115,250	142,030	142,030	
54000-55990 Supplies	28,750	49,066	47,000	55,271	55,271	
56000-56990 Intergovernmental	0	544,211	580,000	730,000	730,000	
57000-57990 Other Charges and Expenses	850	0	100	50	50	
58000-58990 Capital Outlay	3,500	2,786	3,500	3,500	3,500	
PUBLIC WORKS WATER DEPT. TOTAL	1,107,322	1,059,247	1,101,913	1,275,139	**1,277,496**	15.9%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
424 STREET LIGHTS						
52000-53990 Purchase of Services	105,000	99,506	105,000	103,379	103,379	
STREET LIGHTS TOTAL	105,000	99,506	105,000	103,379	**103,379**	-1.5%

500-599 HUMAN SERVICES

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
510 ELECTED BOARD OF HEALTH						
51000-51990 Personal Services	450	450	450	450	450	
ELECTED BOARD OF HEALTH TOTAL	450	450	450	450	**450**	0.0%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
511 BOARD OF HEALTH						
51000-51990 Public Health Directory/Agent – first year of a three-year contract				78,373	78,373	
51000-51990 Other Personal Services				40,650	40,650	
51000-51990 TOTAL Personal Services	97,524	101,003	108,707	119,023	119,023	
52000-53990 Purchase of Services	9,777	10,360	7,860	7,110	7,110	
54000-55990 Supplies	1,300	900	900	900	900	
57000-57990 Other Charges and Expenses	5,115	1,747	1,747	1,947	1,947	
BOARD OF HEALTH TOTAL	113,716	114,010	119,214	128,980	**128,980**	8.2%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
541 COUNCIL ON AGING						
51000-51990 Personal Services	83,551	101,991	126,487	129,487	142,505	
52000-53990 Purchase of Services	27,920	30,732	15,580	19,470	19,470	
54000-55990 Supplies	2,000	4,425	4,425	4,500	4,500	
57000-57990 Other Charges and Expenses	1,550	1,075	1,140	1,640	1,640	
58000-58990 Capital Outlay	0	0	0	0	0	
COUNCIL ON AGING TOTAL	115,021	138,223	147,632	155,097	**168,115**	13.9%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
542 YOUTH COMMISSION						
51000-51990 Personal Services	100,530	103,907	109,378	115,426	118,775	
52000-53990 Purchase of Services	14,244	8,239	9,088	4,280	4,280	
54000-55990 Supplies	2,800	661	700	700	700	
57000-57990 Other Charges and Expenses	2,200	1,806	2,050	2,455	2,455	
YOUTH COMMISSION TOTAL	119,774	114,613	121,216	122,861	**126,210**	4.1%

MOTION MADE: That the budget of the Youth Commission ($126,210) be reduced by $2,422 to a new total of $\boxed{\$123,788}$.
MOTION CARRIES BY MAJORITY VOTE.

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
543 VETERANS' SERVICES						
51000-51990 Personal Services	9,838	9,837	9,837	9,837	9,837	
52000-53990 Purchase of Services	0	0	0	0	0	
54000-55990 Supplies	200	200	200	200	200	
57000-57990 Other Charges and Expenses	15,467	16,034	20,495	22,790	22,790	
VETERANS' SERVICES TOTAL	25,505	26,071	30,532	32,827	32,827	7.5%

MOTION MADE: To reduce the budget of Veterans Services ($32,827) by $245 to $32,582.
MOTION PASSED UNANIMOUSLY.

600-699 CULTURE & RECREATION

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
610 LIBRARY						
51000-51990 Personal Services	245,457	247,322	248,830	240,166	257,177	
52000-53990 Purchase of Services	25,140	19,954	26,600	32,873	32,873	
54000-55990 Supplies	61,800	58,245	60,600	63,000	63,000	
57000-57990 Other Charges and Expenses	13,100	14,600	15,250	15,450	15,450	
58000-58990 Capital Outlay	1,000	1,347	1,300	1,500	1,500	
LIBRARY TOTAL	346,497	341,468	352,580	352,989	**370,000**	4.9%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
630 RECREATION COMMISSION						
51000-51990 Personal Services	108,327	112,402	119,335	119,554	123,498	
52000-53990 Purchase of Svcs	9,160	7750	4,300	4,310	4,310	
54000-55990 Supplies	900	418	784	784	784	
57000-57990 Other Charges and Expenses	4,630	2,535	2,810	2,810	2,810	
58000-58990 Capital Outlay	0	0	0	0	0	
RECREATION COMMISSION TOTAL	123,017	123,105	127,229	127,458	**131,402**	3.3%

MOTION MADE: To table the Recreation Budget to tomorrow night:
REQUIRES 2/3 VOTE
MOTION FAILS: YES 86 NO 89.

MOTION MADE: To reduce the budget of Recreation Commission ($131,402) by $17,402 to a new total of $114,000.

AMENDMENT TO MOTION: To restore the budget to $131,402.
AMENDMENT TO MOTION CARRIES BY MAJORITY VOTE.

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
691 HISTORICAL COMMISSION						
51000-51990 Personal Services	3,562	0	2,562	2,562	2,562	
52000-53990 Purchase of Services	0	600	0	0	0	
54000-55990 Supplies	190	75	190	190	190	
HISTORICAL COMMISSION TOTAL	3,752	675	2,752	2,752	**2,752**	0.0%

MOTION MADE: To reduce the budget of Historical Commission ($2,752) by $200 to a new total of $2,552.
MOTION PASSED UNANIMOUSLY.

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
692 MEMORIAL DAY						
52000-53990 Purchase of Svcs	400	350	400	450	450	
54000-55990 Supplies	1,925	718	1,855	2,150	2,150	
MEMORIAL DAY TOTAL	2,325	1,068	2,255	2,600	**2,600**	15.3%

MOTION MADE: To reduce the budget of Memorial Day ($2,600) by $345 to a new total of $2,255.
MOTION PASSED UNANIMOUSLY.

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
693 HERITAGE DAY						
52000-53990 Purchase of Services	9,160	0	200	0	0	
54000-55990 Supplies	900	0	300	0	0	
57000-57990 Other Charges and Expenses	0	400	0	0	0	
HERITAGE DAY TOTAL	10,060	400	500	0	**0**	-100.0%

900-999 UNCLASSIFIED

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
910 EMPLOYEE BENEFITS						
51000-51990 Total Personal Services						
51700 Police/Fire Accident and Workers' Comp.	124,500	23,775	136,950	141,200	141,200	
51710 Unemployment Payments	23,358	169	25,000	25,000	25,000	
51720 Health Insurance	2,127,041	2,510,043	2,936,719	3,353,847	3,353,847	
51730 Retirement Fund	507,531	524,871	628,342	684,488	684,488	
51740 Life Insurance	6,535	5,679	6,073	6,116	6,116	
51750 Social Security	60,000	195	0	0	0	
51770 Medicare	125,000	170,043	175,000	182,350	182,350	
51780 Dental Insurance	103,641	106,580	119,962	139,970	139,970	
EMPLOYEE BENEFITS TOTAL	3,077,606	3,341,355	4,028,046	4,532,971	4,532,971	12.5%

MOTION MADE: To reduce the budget of Employee Benefits ($4,532,971) by $156,784 to a new total of $4,376,187 with $15,000 contingent on a favorable override at the Annual Town Election.
MOTION VOTED UNANIMOUSLY.

MOTION MADE to RECONSIDER BUDGET 910 PASSED UNANIMOUSLY.
MOTION MADE: That Budget 910 in the amount of $4,376,187 with no override of $15,000 PASSED UNANIMOUSLY.

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
945 LIABILITY INSURANCE						
52000-53990 Purchase of Services	11,000	5,850	11,000	11,000	11,000	
57100-57990 Other Charges and Expenses	165,000	160,213	203,500	203,500	203,500	
LIABILITY INSURANCE TOTAL	176,000	166,063	214,500	214,500	**214,500**	0.0%

700-799 DEBT SERVICE

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
710 RETIREMENT OF DEBT-GENERAL FUND						
59000-59490 Debt Service						
59100 Principal Long Term Debt	2,952,201	2,403,186	2,430,596	2,420,596	2,420,596	
59350 Principal Short Term Debt	0	229,164	0	0	0	
59000-59490 Total Debt Service-General Fund	2,952,201	2,632,350	2,430,596	2,420,596	**2,420,596**	-0.4%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
750 INTEREST ON DEBT-GENERAL FUND						
59000-59490 Debt Service	---	---	---	---	---	
59150 Interest Long Term Debt	1,877,491	1,665,947	1,579,856	1,391,852	1,391,852	
59350 Principal Short Term Debt	0	2,928	20,204	56,500	56,500	
59000-59490 Total Debt Service-General Fund	1,877,491	1,668,875	1,600,060	1,448,352	**1,448,352**	-9.5%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
710 RETIREMENT OF DEBT-WATER FUND						
59000-59490 Debt Service	---	---	---	---	---	
59100 Principal Long Term Debt	40,000	50,000	50,000	50,000	50,000	
59350 Principal Short Term Debt	0	0	0	0	0	
59000-59490 Total Debt Service-Water Fund	40,000	50,000	50,000	50,000	**50,000**	0.0%

BUDGET NAME	FY 2004 BUDGET	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	SAL. ADM. PLAN INC.	Percent Inc./Decr.
750 INTEREST ON DEBT-WATER FUND						
59000-59490 Debt Service	---	---	---	---	---	
59150 Interest Long Term Debt	16,000	11,625	11,625	10,500	10,500	
59350 Principal Short Term Debt	0	0	0	0	0	
59000-59490 Total Debt Service-Water Fund	16,000	11,625	11,625	10,500	**10,500**	-9.7%

300-399 EDUCATION

BUDGET NAME	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST	Percent Inc./Decr.
300 ELECTED SCHOOL COMMITTEE				
51000-51990 Personal Services	500	500	500	
Elected School Committee Total	500	500	500	0%

ANNUAL TOWN MEETING
April 10, 2006

BUDGET NAME	FY 2005 ACTUAL	FY 2006 BUDGET	FY 2007 REQUEST
SOUTHBOROUGH SCHOOLS:			
REGULAR DAY PROGRAMS			
ADMINISTRATION			
School Committee	20,332	10,500	13,300
Superintendent's Office	195,423	175,605	185,172
Administrative Support	154,244	154,117	161,846
INSTRUCTION			
Supervision	36,575	39,200	39,200
Principals	728,553	732,989	775,197
Teaching	5,430,212	5,727,695	6,203,395
Professional Development	64,698	88,900	88,900
Textbooks & Materials	187,977	136,227	242,120
Instructional Hardware & Software	40,819	35,426	42,127
Library Services	199,874	211,853	220,144
Instructional Equipment	10,561	31,100	40,666
Guidance Services	182,350	173,159	183,817
OTHER STUDENT SERVICES			
Testing	337	0	0
Personnel Services	500	500	500
Health Services	212,976	223,657	240,054
Transportation	290,503	287,022	295,295
Athletics	20,375	19,927	21,192
Student Body Activities	30,389	17,703	18,075
OPERATION AND MAINTENANCE OF BUILDINGS			
Operation of Buildings	1,051,145	1,110,630	1,184,408
Maintenance of Buildings	216,644	218,712	265,515
Extraordinary Maintenance	27,000	0	20,000
Networking & Telecommunications	52,911	46,535	57,705
FIXED CHARGES			
Rentals & Leases	51,996	61,814	61,939
Retirement Liability	0	0	0
REGULAR DAY PROGRAMS TOTAL	9,206,394	9,503,271	10,360,567
SPECIAL EDUCATION PROGRAMS – CHAPTER 766			
INSTRUCTION			
Director	97,931	105,552	111,244
Teaching	1,680,482	1,908,395	2,163,259
Professional Development	671	1,200	2,000
Instructional Technology	7,060	1,500	4,000
Psychological Services	187,482	220,650	298,224
OTHER STUDENT SERVICES			
Health Services	41,933	37,000	42,000
Transportation Within	29,994	30,000	30,000
OPERATION AND MAINTENANCE OF BUILDINGS			
Operation of Buildings	7,852	7,500	11,500
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS			
Tuition, Out	1,201,944	1,236,374	922,036
Transportation, Out	196,812	268,060	270,000
PROGRAMS, MEMBER OF COLLABORATIVE			
Assabet Collaborative Assessment	8,357	5,000	9,000
Tuition Out, Collaborative	62,500	84,000	73,000
Transportation Out, Collaborative	68,314	68,315	75,000
SPECIAL ED. – CHAPTER 766 TOTAL	3,591,332	3,973,546	4,011,263

SUMMARY

BUDGET NAME	FY2005 ACTUAL	FY2006 BUDGET	FY 2007 REQUEST	
REGULAR DAY PROGRAMS	**9,206,394**	**9,503,271**	**10,360,567**	
SPECIAL EDUCATION – CHAPTER 766	**3,591,332**	**3,973,546**	**4,011,263**	
GRAND TOTAL OPERATING BUDGET	**12,797,726**	**13,476,817**	**14,371,830**	6.6%

MOTION MADE: That the budget of Southborough Schools K-8 ($14,371,830) be raised and appropriated with $110,000 contingent on passage of a budget override at the Annual Town Election.

AMENDMENT TO MOTION: Remove the words "contingent on passage of a budget override at the Annual Town Election."
AMENDMENT PASSED BY MAJORITY VOTE.

MOTION TO MOVE THE QUESTION PASSED UNANIMOUSLY.

MOTION WITH AMENDMENT PASSED UNANIMOUSLY.

BUDGET NAME	FY2005 ACTUAL	FY2006 BUDGET	FY 2007 REQUEST
ALGONQUIN REGIONAL HIGH SCHOOL			
REGULAR DAY PROGRAMS			
ADMINISTRATION			
School Committee	66,727	61,153	59,903
Superintendent's Office	153,421	159,432	159,432
Administrative Support	138,452	144,785	144,785
INSTRUCTION			
Supervision	65,681	68,640	68,640
Principals	554,368	566,244	570,244
Teaching	4,251,501	5,057,170	5,080,440
Professional Development	48,794	53,800	89,300
Textbooks & Materials	217,181	221,690	305,550
Instructional Hardware & Software	9,053	29,600	26,900
Instructional Equipment	25,682	45,400	39,000
Guidance Services	428,992	441,888	442,388
OTHER STUDENT SERVICES			
Testing	2,217	2,600	2,600
Health Services	76,653	82,994	83,694
Transportation	740,261	761,066	764,466
Athletics/Student Body Activities	452,551	467,956	374,122
Other Student Activities	8,004	9,300	9,300
OPERATION AND MAINTENANCE OF BUILDINGS			
Operation of Buildings	577,065	568,398	662,398
Maintenance of Buildings	90,610	105,650	131,650
Payment for Local Northboro Services	72,500	72,500	72,500
Extraordinary Maintenance	0	0	0
Networking & Telecommunications	19,071	26,040	23,040
FIXED CHARGES			
Rentals and Leases	119,896	111,264	111,964
Insurance	1,401,950	1,750,596	1,765,254
Retirement Liability	85,500	121,092	121,092
Debt Service	1,203	0	0
TUITION, OTHER PUBLIC SCHOOLS			
Vocational Education	0	0	0
School Choice	19,836	43,000	25,000
COLLECTIVE BARGAINING			
Collective Bargaining/Transportation Set Aside	0	0	1,822,011
REGULAR DAY PROGRAMS TOTAL	**9,627,169**	**10,972,258**	**12,955,673**

SPECIAL EDUCATION PROGRAMS - CHAPTER 766			
ADMINISTRATION			
Legal Services	1,701	5,000	5,000
INSTRUCTION			
Director	74,796	81,869	81,869
Teaching	346,818	277,836	285,336
Professional Development	1,867	1,600	1,600
Instructional Technology	343	1,000	3,500
Psychological Services	62,713	75,632	72,327
OTHER STUDENT SERVICES			
Health Services	0	1,500	1,500
Transportation Within	29,723	47,500	47,500
OPERATION AND MAINTENANCE OF BUILDINGS			
New Equipment	1,255	2,000	4,000
Equipment Maintenance	429	500	500
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS			
Tuition, Out	383,667	438,368	120,265
Transportation, Out	34,421	55,000	55,000
PROGRAMS, MEMBER OF COLLABORATIVE			
Assabet Collaborative Assessment	0	7,800	7,800
Tuition Out, Collaborative	148,380	156,000	206,009
Transportation Out, Collaborative	16,983	27,000	27,000
SPECIAL EDUCATION - CHAPTER 766 TOTAL	1,103,096	1,178,605	919,206

SUMMARY

BUDGET NAME	**FY2005 ACTUAL**	**FY2006 BUDGET**	**FY 2007 REQUEST**
REGULAR DAY PROGRAMS	9,627,169	10,972,258	12,955,673
SPECIAL ED. - CHAPTER 766	1,103,096	1,178,605	919,206
GRAND TOTAL OPERATING BUDGET	10,730,265	12,150,863	**13,874,879**

NORTHBOROUGH-SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2007 BUDGET & ASSESSMENTS – DEPT. OF ED. RECOMMENDED METHOD

			61.37% **Northboro**	**38.63%** **Southboro**
Step 1				
School Committee Recommended Budget (FY 2007)		**15,314,676.00**		
Less Transportation	856,486.00			
SPED Transportation	106,000.00	962,486.00		
Less Fixed Charges		0.00		
Net School Spending		14,352,190.00		
Less Revenues		0.00		
Subtotal		14,352,190.00		
Less Chapter 70 Aid – Preliminary		2,262,366.00		
Less State Ward Reimbursement		0.00		
Net Budget		12,089,824.00		
Step 2				
Minimum Local Contribution required by Ed Reform			**	**
Step 3				
Difference between Min. Contrib. & Net budget balance		12,089,824.00		
Step 4				
Apportion Step 3 amount by agreement			7,419,524.99	4,670,299.01
Step 5				
Transportation Budget	962,486.00			
Less Aid to Transportation Preliminary	560,273.00	402,213.00	246,838.12	155,374.88
Step 6				
Other Operational Costs	0.00			
Less Revenues	0.00	0.00		
Step 7				
Debt Payments Not Exempt from Proposition 2 ½		84,897.50	53,723.14	31,174.36
Step 8				
Total assessments, Minimum local contribution plus apportionments		12,576,934.50		
			7,720,086.25	4,856,848.25
Step 9				
Excess & Deficiency Offset		381,154.00	233,914.21	147,239.79

FY 2007 Assessment Not Exempt from Proposition 2 ½	**12,195,780.50**	**7,486,172.04**	**4,709,608.46**
Step 10			
Debt Payments Exempt from Proposition 2 ½	2,672,924.88	1,691,426.86	981,498.02
Total FY 2007 Assessment	**14,868,705.38**	**9,177,598.90**	**5,691,106.48**

MOTION MADE: That the Southborough Assessment for Algonquin Regional High School ($5,691,107) be raised and appropriated with $228,327 contingent on passage of a budget override at the Annual Town Election.
MOTION PASSED UNANIMOUSLY.

ANNUAL TOWN ELECTION VOTE:
PASSED AT ANNUAL TOWN ELECTION May 8, 2006
YES: 855 No: 520

NORTHBOROUGH-SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2007 BUDGET &ASSESSMENTS– DEPT. OF ED. RECOMMENDED METHOD

Assessment Comparison

Northborough

	Non Exempt	**Exempt**	**Total**
FY 2007 Assessment	7,486,172.04	1,691,426.86	9,177,598.90
FY 2006 Assessment	6,720,224.41	1,273,800.32	7,994,024.73
Dollar Increase	765,947.63	417,626.54	1,183,574.17
Percent Increase	11.40%	32.79%	14.81%

Southborough

	Non Exempt	**Exempt**	**Total**
FY 2007 Assessment	4,709,608.46	981,498.02	5,691,106.48
FY 2006 Assessment	4,044,480.89	741,575.00	4,786,055.89
Dollar Increase	665,127.57	239,923.02	905,050.59
Percent Increase	16.45%	32.35%	18.91%

MOTION MADE: To reconsider 910 Employee Benefits.
REQUIRES 2/3 VOTE
MOTION VOTED UNANIMOUSLY.
(see 910 Employee Benefits budget on pg.22)

BUDGET NAME	**FY 2005 BUDGET**	**FY 2006 BUDGET**	**FY 2007 REQUEST**	**Percent Inc./Decr.**
ASSABET VALLEY REGIONAL VOC. SCHOOL				
School Committee	96,307	98,159	96,937	
Superintendent & Business Office	454,650	465,093	476,864	
Instruction Supervision	407,919	424,304	435,752	
Principal Office	142,474	145,614	158,152	
Instruction and Supplies	6,606,915	6,808,030	6,903,862	
Textbooks	45,000	51,500	51,500	
Library Services	109,133	100,071	102,655	
Multi-Media	8,000	8,000	8,000	
Guidance Services	439,735	422,445	434,510	
Attendance	24,418	24,982	25,618	
Health Services	80,368	84,521	88,718	
Transportation Contracts	846,735	883,999	961,500	
Transportation Sports-Field Trips	36,001	37,501	39,451	
Athletic Programs	264,499	274,150	280,814	
Student Body Activities	87,731	88,885	90,385	
Operation of Plant	1,232,943	1,265,908	1,299,886	
Maintenance of Plant	316,208	329,258	339,395	
Health-Life-Medicare Insurance	997,145	1,200,950	1,379,620	
Other Insurances	213,985	222,575	225,975	
Leases of Equipment	25,000	25,000	25,000	
Acquisition of Fixed Assets	157,000	157,000	193,000	
VOCATIONAL DAY OPERATING BUDGET	12,592,166	13,117,945	13,617,594	
Right to Know- Asbestos Audit	10,000	10,000	10,000	
Single Audit Requirement	15,500	15,500	15,500	
RIGHT TO KNOW – AUDIT BUDGET (TOTAL)	25,500	25,500	25,500	
Special Needs	836,847	873,716	908,323	

TOTAL BUDGET	**13,454,513**	**14,017,161**	**14,551,417**	
SOUTHBORO ASSESSMENT	175,988	175,023	132,947	-24.0%

MOTION MADE: To table Article 6 until Adjourned Annual Town Meeting of April 11, 2006.
MOTION VOTED UNANIMOUSLY.

MOTION MADE: That the Town raise a sum of money not to exceed the sum of $38,109,094 as may be necessary for the Town's use, and make appropriations of the same.

Transfer from the Cemetery Perpetual care $15,000.
Transfer from Free Cash $1,315,000.
Transfer from the Stabilization Fund $371,410.
Transfer from Overlay Reserve $100,000.
Transfer from ambulance Fund, Receipts Reserved (Fund 23) $300,000.
Transfer from Septic Betterment Fund $35,596.
Transfer from Premium Reserve $33,926.

That the balance of $35,920,760 be raised and appropriated with $228,327 contingent on passage of a budget override by a majority vote at the Annual Town Election.

MOTION VOTED UNANIMOUSLY.

ANNUAL TOWN ELECTION VOTE:
PASSED AT ANNUAL TOWN ELECTION May 8, 2006
YES: 855 No: 520

ARTICLE 7: To see if the Town will vote to transfer to Surplus Revenue Account (Excess and Deficiency) a sum of money, or do or act anything in relation thereto. (Proposed by the Town Accountant and the Board of Selectmen)

MOTION MADE: To see if the Town will vote to transfer to Surplus Revenue Account (Excess and Deficiency) the following sums:

Account Number	Purpose	Amount
0100-6-220-000-68210	Fire Window Replace	2,113.46
0100-6-220-000-68410	Fire Ambulance	13,902.60
0100-6-692-000-57820	Memorial Day	666.55
0100-6-693-000-57910	Heritage Day Expenses	1,003.35
0100-6-910-000-51710	Unemployment Compensation	248.82
0100-6-910-000-51730	Retirement Expense	4,984.00
0100-6-301-000-68220	Neary Repairs	297.24
0100-6-301-000-68330	Feasibility Study Neary	5,600.00
	TOTAL	**28,816.02**

MOTION VOTED UNANIMOUSLY.

ARTICLE 8: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate $25,000 for the purpose of paying to retirees the amount due for accrued vacation and sick time, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town will raise and appropriate the sum of $25,000 to pay retirees the amount due for accrued vacation and sick time.
MOTION VOTED UNANIMOUSLY.

ARTICLE 9: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $16,000 to fund ongoing maintenance of the Town House, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $16,000 to fund ongoing maintenance of the Town House.
MOTION VOTED UNANIMOUSLY.

ARTICLE 10: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from any available funds and appropriate, the sum of $4,800 to purchase a new mailing system, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: The Town raise and appropriate the sum of $4,800 to purchase a mailing system.
MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 11: To see if the Town will vote to raise and appropriate or borrow and appropriate, or transfer from available funds and appropriate, the sum of $17,890 to be used as the Southborough share of the required local match for Year 2 and a portion of Year 3 of the Local Connection demand-response transit service provided by the Worcester Regional Transit Authority. Additional funding of Year 2 is required due to increased fuel costs, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town will raise and appropriate the sum of $17,890 to be used as the Southborough share of the required local match for Year 2 and a portion of Year 3 of the Local Connection demand-response transit service provided by the Worcester Regional Transit Authority.
MOTION VOTED UNANIMOUSLY.

ARTICLE 12: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate $20,000 to fund monitoring of the Parkerville Landfill, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town to raise and appropriate the sum of $20,000 to fund monitoring of the Parkerville Road Landfill.
MOTION VOTED UNANIMOUSLY.

ARTICLE 13: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $250,000 for the maintenance of Town roads, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $250,000 for the maintenance of Town roads.
MOTION VOTED UNANIMOUSLY.

ARTICLE 14: To see if the Town will vote to transfer from available funds and appropriate, the sum of $229,789 in anticipation of reimbursement from the Commonwealth of Massachusetts for Chapter 90 highway improvements, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town transfer from available funds and appropriate the sum of $229,789 in anticipation of reimbursement from the Commonwealth for Chapter 90 highway improvements.
MOTION VOTED UNANIMOUSLY.

ARTICLE 15: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, $150,000 for the purpose of purchasing Public Works Equipment, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $150,000 for the purpose of purchasing Public Works Equipment.
MOTION VOTED UNANIMOUSLY.

ARTICLE 16: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, $40,000 for the purpose of purchasing, repairing and upgrading Public Works equipment at the Transfer Station, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town raise and appropriate the sum of $40,000 for purpose of purchasing, repairing and upgrading Public Works equipment at the Transfer Station.
MOTION VOTED UNANIMOUSLY.

At 11:03pm it was VOTED UNANIMOUSLY to adjourn the Annual Town Meeting to Tuesday, April 11, 2006 at 7:30pm.

True Copy
Attest:

Paul J. Berry, Town Clerk

Town of Southborough, ANNUAL TOWN MEETING
Adjourned Session April 11, 2006

At the Adjourned session of the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough on Tuesday, April 11, 2006 at 7:30PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 188 voters were present.

Checkers:

Brenda Gaffney	**Lidia A. Kiley**
Janet M.E. Mattioli	**Linda C. Hubley**
Lois W. Denman	**Delia Mulvaney**

The following were appointed by Moderator John Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:

Joseph A. DiGiovanni, Jr	**Paul M. Cimino**
Chirstopher Robbins	**Brian Shea**
George Mark Pederson	**Lucian R. Philippon**

John H. Wilson, Town Moderator, called the meeting to order at 8:14pm.

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting. There being no objections from the floor, it was voted to allow the above non-voters to remain:

Brian Ballantine, Finance Director
Robert E. Couture, Interim Superintendent of Schools
Kathryn Garcia, Director of Recreation
Karen Galligan, Interim Superintendent DPW
Vanessa D. Hale, Assistant Town Administrator
Kimberley Ivers, Acting Library DirectorDonna Jacobs, Director of MetroWest Growth Management Committee (speaking for Stormwater by-laws)
Peter Johnson, Building Inspector
Vera L. Kolias, Town Planner
Pam LeFrancois, Senior Center Director
Cheryl Levesque, Business Director of Schools
Dawn E. Michanowicz, Assistant Town Clerk
Paul C. Pisinski, Public Health Director
Laurie Sugarman-Whittier, Director of Youth and Family Services
Lisa Gentes, MetroWest Daily News

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Request to move Articles 34,35,38,39 and 41 forward.
Request denied by Town Moderator.

ARTICLE 17: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate the sum of $1,250,000 for the purpose of erecting a water storage tank and appurtenances associated therewith on town owned land, shown on Assessors Map 33 as Parcel 41 off Tara Road in the Town of Southborough, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: To postpone indefinitely.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 18: To see if the Town will vote to accept as a water easement land at 81 Fisher Road, from K&H Realty Trust, land described as "Water Easement 946 S.F." on the plan entitled "Easement Plan in Southborough, Mass.", prepared by Jack Costedio dated March 23, 2005, plan is on file with the Town Clerk's office, or do or act anything in relation thereto.
(Proposed by the Department of Public Works)

MOTION MADE: That the Town accept as a water easement land at 81 Fisher Road, From K&H Reality Trust, land described as "Water Easement 946 S.F." on the plan entitled "Easement Plan in Southborough, Mass.", prepared by Jack Costedio dated March 23, 2005, plan is on file with the Town Clerk's Office.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 19: To see if the Town will vote to accept as a drainage easement land at 81 Fisher Road, from K&H Realty Trust, land described as "Drainage Easement 1,906 S.F." on the plan entitled "Easement Plan in Southborough, Mass.", prepared by Jack Costedio dated March 23, 2005, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town accept as a drainage easement land at 81 Fisher Road, from K&H Realty Trust, land described as "Drainage Easement 1,906 S.F." on the plan entitled "Easement Plan in Southborough, Mass.", prepared by Jack Costedio dated March 23, 2005, plan is on file with the Town Clerk's Office.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 20: To see if the Town will vote to accept as a utility easement land along Marlborough Road from the Trustees of St. Mark's School, said land described as "65' Wide Utility Easement" on the plan entitled "Plan of Utility Easement in Southborough, Mass. Over Land of The Trustees Of St. Mark's School", prepared by Thompson-Liston Associates, Inc. dated September 20, 1984, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town accept as a utility easement land along Marlborough Road from the Trustees of St. Mark's School, said land described as "65' Wide Utility Easement" on the lan entitled "Plan of Utility Easement in Southborough, Mass. Over Land of The Trustees Of St. Mark's School", prepared by Thompson-Liston Associates, Inc. dated September 20, 1984, plan is on file with the Town Clerk's Office.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 21: To see if the Town will vote to accept as a utility easement land at 122 Southville Road, from A & M Realty Trust, land described as "Proposed Drain Easement" and "Proposed Drain easement" on the plan entitled "Sketch Plan of Proposed Drain In Southborough", prepared by Thomas Land Surveyors dated June 29, 2005, plan is on file with the Town Clerk's office, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That The Town accept a utility easement at 122 Southville Road, from A & M Realty Trust and Lutz, land described as "Proposed Drain Easement" and "Proposed Drain easement" on the plan entitled "sketch Plan of Proposed Drain in Southborough", prepared by Thomas Land Surveyors dated June 29, 2005, plan is on file with the Town Clerk's Office.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 22: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, accept by gift or take by eminent domain, pursuant to the provisions of Massachusetts General Laws, Chapter 79, as amended, a certain parcel of land, easement and/or other interests therein for the purpose of improving public access at the intersection of Richards and Cordaville Road (Route 85). Said land area comprises a parcel located in the Town of Southborough, County of Worcester, Massachusetts, containing 285 square feet, more or less, and is a portion of that tract of land shown on Assessors Map 29 as Parcel 219, now or formerly owned by Paul C. Smith and Holly L. Smith, Trustees of the Smith Family Trust, per a deed recorded in the Worcester Registry of Deeds in Book 28214, Page 242.

Said parcel being more particularly shown on a plan entitled "Plan of Taking Intersection of Richards Road and Cordaville Road, Southborough, MA" prepared for McMahon Associates, Scale 1"=20' Date 8/8/05 by Coneco Engineers, Scientists and Land Surveyors, a copy of which is on file with the Town Clerk's Office.

And further that the Board of Selectmen have full and exclusive power and authority, as agents of the Town, and the duly elected chief executive authority thereof, to defend, prosecute, settle, compromise, make agreements and order payments of any and all claims, suits and actions which may exist or arise from or on account of the acquisition by gift, purchase or taking by eminent domain the parcel of land with structures and trees thereon, if any, and easements or other rights to be taken for the purpose set forth in this Article;

And further to see if the Town will vote to take from available funds a sum of money for the above mentioned land acquisition and for the taking associated costs, or do or act anything in relation thereto. (Proposed by the Department of Public Works)

MOTION MADE: That the Town authorize the Board of Selectmen to acquire by purchase, accept by gift or take by eminent domain, pursuant to the provisions of Massachusetts General Laws, Chapter 79, as amended, a certain parcel of land, easement and/or other interests therein for the purpose of improving public access at the intersection of Richards and Cordaville Road (Route 85). Said land area comprises a parcel located in the Town of Southborough, County of Worcester, Massachusetts, containing 285 square feet, more or less, and is a portion of that tract of land shown on Assessors Map 29 as Parcel 219, now or formerly owned by Paul C. Smith and Holly L. Smith, Trustees of the Smith Family Trust, per a deed recorded in the Worcester Registry of Deeds in Book 28214, Page 242.

Said parcel being more particularly shown on a plan entitled "Plan of Taking Intersection of Richards Road and Cordaville Road, Southborough, MA" prepared for McMahon Associates, Scale 1"=20' Date 8/8/05 by Coneco Engineers, Scientists and Land Surveyors, a copy of which is on file with the Town Clerk's Office.

And further that the Board of Selectmen have full and exclusive power and authority , as agents of the Town, and the duly elected chief executive authority thereof, to defend, prosecute, settle, compromise, make agreements and order payments of any and all claims, suits and actions which may exist or arise from or on account of the acquisition by gift, purchase or taking by eminent domain the parcel of land with structures and trees thereon, if any, and easements or other rights to be taken for the purpose set forth in this Article:

AMENDMENT TO MOTION: Replace Map 29 Parcel 219 after the words "portion of that tract of land shown on Assessors…" with Map 8 Parcel 109.
AMENDMENT TO MOTION CARRIES UNANIMOUSLY.
MOTION WITH AMENDMENT CARRIES UNANIMOUSLY.

ARTICLE 23: To see if the Town will vote to transfer from the Cemetery Trust Funds the sum of $7,000 to replace the roof of the cemetery building, or do or act anything in relation thereto. (Proposed by the Facilities Manager and the Acting Public Works Superintendent)

MOTION MADE: That the Town transfer from the Cemetery Trust Funds the sum of $7,000 to replace the roof of the cemetery building.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 24: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds the sum of $52,000 to acquire two (2) new four-door full-size sedan police cruisers and authorize the Board of Selectmen to sell, turn in or otherwise dispose of two police cruisers, or do or act anything in relation thereto. (Proposed by the Police Chief)

MOTION MADE: That the Town raise and appropriate the sum of $52,000 to acquire two (2) new four-door full-size sedan police cruisers and authorize the Board of Selectmen to sell, turn in or otherwise dispose of two police cruisers.
MOTION CARRIES BY MAJORITY VOTE.

ARTICLE 25: To see if the Town will vote to raise and appropriate, borrow and appropriate, or transfer from available funds and appropriate, the sum of $50,000 to install the "Enhanced 911 public safety emergency system" at the Police Station dispatch center, or do or act anything in relation thereto. (Proposed by the Facilities Manager and the Police Chief)

MOTION MADE: That the Town raise and appropriate the sum of $50,000 to install the "Enhanced 911 public safety emergency system" at the Police Station dispatch center.
AMENDMENT TO MOTION: To Postpone Indefinitely.
AMENDMENT TO MOTION to POSTPONE INDEFINTELY CARRIES UNANIMOUSLY.

ARTICLE 26: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $15,000 for the purpose of hiring consultants, engineers, water quality specialists, and/or environmental consultants by various Town departments, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $15,000 for the purpose of hiring consultants, engineers, water quality specialists, and/or environmental consultants by various Town departments.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 27: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $5,000 for the purpose of maintenance of equipment, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: to postpone indefinitely.
MOTION to POSTPONE INDEFINITELY CARRIES UNANIMOUSLY.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

ARTICLE 28: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate, the sum of $10,000 for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town raise and appropriate the sum of $10,000 for the purpose of establishing a fund to be used to pay the Town's share of casualty and other losses incurred to Town property and equipment which are not covered by insurance policies, and/or which has been destroyed or damaged as a result of accident or casualty, for which a third party is liable and for which the Town is entitled to be reimbursed from damages caused as a result of such accident or casualty.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 29: To see if the Town will vote to raise and appropriate, borrow and appropriate, or transfer from available funds and appropriate, the sum of $8,000 for ADA plan implementation, or do or act anything in relation thereto. (Proposed by the Facilities Manager and the ADA Committee)

MOTION MADE: That the Town raise and appropriate the sum of $8,000 for ADA plan implementation.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 30: To see if the Town will vote to raise and appropriate or borrow and appropriate, or transfer from available funds and appropriate, the sum of $65,000 to be used to develop a 10-year Comprehensive Master Plan, provided that this approval shall be contingent upon a favorable vote at a town election to override this appropriation from the limitations of Proposition 2 1/2, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town raise and appropriate the sum of $65,000 to be used to develop a 10-year Comprehensive Master Plan
MOTION CARRIES UNANIMOUSLY.

ARTICLE 31: To see if the Town will vote to raise and appropriate, or borrow and appropriate or transfer from available funds and appropriate, the sum of $45,000 to replace the 1999 Chevrolet pick-up truck, or do or act anything in relation there to. (Proposed by the Fire Chief)

MOTION MADE: To Postpone Indefinitely.
MOTION TO POSTPONE INDEFINTELY CARRIES UNANIMOUSLY.

ARTICLE 32: To see if the Town will vote to raise and appropriate, or borrow and appropriate or transfer from available funds and appropriate, the sum of $40,000 to replace the fire alarm system at the Town Library, or do or act anything in relation thereto. (Proposed by the Facilities Manager and the Fire Chief)

MOTION MADE: That the Town raise and appropriate the sum of $5,000 to purchase replacement parts for the fire alarm system at the Town Library.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 33: To see if the Town will vote to authorize the Board of Selectmen, pursuant to Mass. General Laws, C. 40 § 3 and §15A, as amended, and all other applicable statutory provisions, to sell, convey and transfer the real property located at 1 Cordaville Road designated on Assessors Map 54 as Parcel 25 for the purpose of permanent affordable housing as defined by the Commonwealth of Massachusetts Department of Housing and Community Development, subject to the reservation of a portion of said parcel to be utilized for highway purposes or take any action relative thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town authorize the Board of Selectmen, pursuant to Mass. General Laws, C. 40 §3 and §15A, as amended, and all other applicable statutory provisions, to sell, convey and transfer the real property located at 1 Cordaville Road designated on Assessors Map 54 as Parcel 25 for the purpose of permanent affordable housing as defined by the Commonwealth of Massachusetts Department of Housing and Community Development, subject to the reservation of a portion of said parcel to be utilized for highway purposes.
REQUIRES 2/3 VOTE
MOTION CARRIES UNANIMOUSLY.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

ARTICLE 34: To see if the Town will vote to raise and appropriate or borrow and appropriate, or transfer from available funds and appropriate, the sum of $110,000 to be used to repair and maintain Fayville Village Hall located at 42 Central Street, and to demolish the building known as the Delarda House located at 40 Central Street, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: to combine Article's 34 and 35 for discussion only.
MOTION CARRIES UNANIMOUSLY.

MOTION MADE: That the Town raise and appropriate the sum of $110,000 to repair and maintain Fayville Village Hall located at 42 Central Street, and to demolish the building known as the Delarda House located at 40 Central Street, contingent on a favorable Proposition 2 ½ capital exclusion vote at the Annual Town Election.
MOTION MADE: TO MOVE THE QUESTION.
MOTION CARRIES UNANIMOUSLY.
REQUIRES 2/3 VOTE
MAIN MOTION PASSED BY VOTE: YES: 147 NO: 5

ANNUAL TOWN ELECTION VOTE:
PASSED AT ANNUAL TOWN ELECTION May 8, 2006
YES: 695 No: 677

ARTICLE 35: To see if the Town will vote to raise and appropriate or borrow and appropriate, or transfer from available funds and appropriate, the sum of $105,000 to be used to demolish Fayville Village Hall located at 42 Central Street, and to demolish the building known as the Delarda House located at 40 Central Street, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: To Postpone Indefinitely.
MOTION MADE TO POSTPONE INDEFINTELY CARRIES UNANIMOUSLY.

ARTICLE 36: To see if the Town will vote to accept the 2006 Open Space and Recreation Plan, and further to authorize the Town to submit the plan to the Division of Conservation Services for approval, such plan being on file with the Town Clerk's Office, or do or act anything in relation thereto. (Proposed by the Recreation Commission and the Open Space Preservation Commission)

MOTION MADE: That the Town accept the 2006 Open Space and Recreation Plan, and further to authorize the Town to submit the plan to the Division of Conservation Services for approval, such plan being on file with the Town Clerk's Office.
MOTION CARRIES UNANIMOUSLY.

ARTICLE 37: To see if the Town will vote to accept a Deed of Conveyance from Wilfred A. Dunnebier Jr., Owner by descent of certain property located at 0 Pinecone Lane, Map 85, Parcel 9, pursuant to the authority of Massachusetts General Laws, Chapter 60, Section 77C. Being the same premises referred to in a Deed recorded on October 31, 1997 in the Worcester Registry of Deeds, Book 19309, Page 173. Said parcel containing .38 acres more or less, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: To Postpone Indefinitely.
MOTION MADE TO POSTPONE INDEFINITELY CARRIES UNANIMOUSLY.

ARTICLE 38: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, the sum of $188,050 for the FY 2007 installment of the multiyear technology update in all Southborough Public Schools, or do or act anything in relation thereto. (Proposed by the Southborough School Committee)

MOTION MADE: That the Town raise and appropriate the sum of $150,000 for the FY2007 installment of the multiyear technology update in all Southborough Public Schools said funds to be transferred from the Stabilization Fund.

AMENDMENT TO MOTION MADE: That the Town raise and appropriate the sum of $150,000 for the FY2007 installment of the multiyear technology update in all Southborough Public Schools contingent upon a favorable capital exclusion vote at the Annual Town Election excluding this from the limits of so-called Proposition 2 ½.
AMENDMENT FAILS.
Requires 2/3 Vote.
MAIN MOTION CARRIES UNANIMOUSLY.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

ARTICLE 39: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate the sum of $450,000 for Phase II [FY2007] installment of the three year renovation project totaling $1,350,000 for the Neary Elementary School, including the payment of all costs incidental and related thereto or do or act anything in relation thereto. (Proposed by the Facilities Manager and the Southborough School Committee)

MOTION MADE: That the Town borrow and appropriate the sum of $450,000 fro Phase II [FY2007] installment of the three year renovation project totaling $1,350,000 for the Neary Elementary School, including the payment of all costs incidental and related thereto, contingent on a favorable Proposition 2 ½ debt exclusion vote at the Annual Town Election.
Requires 2/3 Vote.
MOTION CARRIES UNANIMOUSLY.

ANNUAL TOWN ELECTION VOTE:
PASSED AT ANNUAL TOWN ELECTION May 8, 2006
YES: 808 No: 555

ARTICLE 40: To see if the Town will vote to transfer ownership of the two (2) portable classrooms located at Neary School from the Southborough School Committee to the Town of Southborough Board of Selectmen, to be utilized as needed. (Originally appropriated at the Annual Town Meeting, April 2001, Article 52), or do or act anything in relation thereto. (Proposed by Charles Millett and 12 others)

MOTION MADE: To Postpone Indefinitely.
MOTION TO POSTPONE INDEFINTELY CARRIES UNANIMOUSLY.

ARTICLE 41: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow and appropriate, the sum of $130,637 to fund the following projects:

ADA – Woodward School [Americans with Disabilities Act]	$30,074
Install drainage system in rear – Woodward	$22,000
Replace HVAC unit – Woodward	$12,000
Seal tile floors at Finn [$41,590] and Trottier [$15,758]	$57,348
Upgrade energy management system [Finn]	$ 9,215

Provided that this appropriation and borrowing shall be contingent upon favorable Proposition 2 ½ capital exclusion vote at a town election or do or act anything in relation thereto. (Proposed by Facilities Manager and the Southborough School Committee)

MOTION MADE: that the Town raise and appropriate the sum of $130,637 to fund the following projects:

ADA – Woodward School [Americans with Disabilities Act]	$30,074
Install drainage system in rear – Woodward	$22,000
Replace HVAC unit – Woodward	$12,000
Seal tile floors at Finn [$41,590] and Trottier [$15,758]	$57,348
Upgrade energy management system [Finn]	$ 9,215

This appropriation is contingent upon a favorable capital exclusion vote at the Town Election.
REQUIRES 2/3 VOTE
MOTION CARRIES: YES: 29 NO: 3

ANNUAL TOWN ELECTION VOTE:
PASSED AT ANNUAL TOWN ELECTION May 8, 2006
YES: 762 No: 607

MOTION MADE: To take Article 6 off the table.
REQUIRES 2/3 VOTE.
MOTION CARRIES UNANIMOUSLY.
(see end of Article 6 GENERAL GOVERNMENT BUDGET, page 28)

ARTICLE 42: To see if the Town will vote to amend the Zoning Map by deleting in its entirety the Zoning Map dated March 1984 and by substituting in place thereof the Zoning Map dated March 2006, or do or act anything in relation thereto. (Proposed by the Planning Board)
REQUIRES 2/3 VOTE
MOTION MADE: That the Town amend the Zoning Map by deleting in its entirety the Zoning Map dated March 1984 and by substituting in place thereof the Zoning Map dated March 2006.
MOTION VOTED UNANIMOUSLY.

Approved by the Attorney General on June 12, 2008.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

ARTICLE 43: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, by deleting 174.13.2.A (2) and 174.13.2.A (3) – "Major Residential Development – Applicability" and inserting the following language:

(2) Repetitive subdivision and phasing of large properties.

(a) Land outside a major residential development. Where a by-right subdivision of fewer than eight (8) lots (that is, a development under the threshold size for a major residential development) is first created on one (1) portion of a property, thereby leaving another portion of the same property remaining undeveloped, and if the applicant later desires to subdivide this remaining portion thereby creating eight (8) or more lots overall within the eight-year period (as described in Subsection A(1) above), then the applicant may do so by applying for a special permit for a major residential development for the remaining portion. On large properties to be developed in phases, the applicant may apply for more than one (1) special permit with no time limit.

(b) Lots inside a major residential development. Lots created inside a major residential development, and made a part of the development, may not be further subdivided within eight (8) years except by amending the original special permit.

(3) Flexible development option for small properties. Except as provided below, a development creating fewer than eight (8) units does not require approval of a special permit, because it is below the threshold size. However, if an applicant wants to take advantage of this section's special features (such as flexible development) for a development of fewer than eight (8) lots, then the applicant may do so by applying for a special permit. In this case, all requirements of this section shall apply as if the development was a major residential development, with one (1) exception, that affordable housing shall not be required under Subsection E.

, or do or act anything in relation thereto. (Proposed by the Planning Board).

MOTION MADE: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, by deleting 174.13.2.A (2) and 174.13.2.A (3) – "Major Residential Development – Applicability" and inserting the following language:

> (2) Repetitive subdivision and phasing of large properties.
>
> > (a) Land outside a major residential development. Where a by-right subdivision of fewer than eight (8) lots (that is, a development under the threshold size for a major residential development) is first created on one (1) portion of a property, thereby leaving another portion of the same property remaining undeveloped, and if the applicant later desires to subdivide this remaining portion thereby creating eight (8) or more lots overall within the eight-year period (as described in Subsection A(1) above), then the applicant may do so by applying for a special permit for a major residential development for the remaining portion. On large properties to be developed in phases, the applicant may apply for more than one (1) special permit with no time limit.
> >
> > (b) Lots inside a major residential development. Lots created inside a major residential development, and made a part of the development, may not be further subdivided within eight (8) years except by amending the original special permit.
>
> (3) Flexible development option for small properties. Except as provided below, a development creating fewer than eight (8) units does not require approval of a special permit, because it is below the threshold size. However, if an applicant wants to take advantage of this section's special features (such as flexible development) for a development of fewer than eight (8) lots, then the applicant may do so by applying for a special permit. In this case, all requirements of this section shall apply as if the development was a major residential development, with one (1) exception, that affordable housing shall not be required under Subsection E.

, or do or act anything in relation thereto. (Proposed by the Planning Board).
REQUIRES 2/3 VOTE

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, by deleting 174.13.2.A (2) and 174.13.2.A (3) – "Major Residential Development – Applicability" and inserting the language as printed in the Warrant.
MOTION VOTED UNANIMOUSLY.

Approved by the Attorney General on September 14, 2006.

MOTION MADE: to bring Article 45 before Article 44.
MOTION VOTED UNANIMOUSLY.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

ARTICLE 45: To see if the Town will vote to amend the Code of the Town of Southborough by inserting a new Chapter 225, Illicit Discharge to read as follows:

§225-1. PURPOSE

Increased and contaminated stormwater runoff is a major cause of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and flooding. Regulation of illicit connections and discharges to the Town of Southborough municipal storm drain system is necessary for the protection of the town's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment.

The objectives of this bylaw are:

(1) To prevent illicit discharge of pollutants from entering Southborough's municipal separate storm sewer system (MS4);

(2) To prohibit illicit connections and unauthorized discharges to the MS4;

(3) To require the removal of all such illicit connections;

(4) To comply with state and federal statutes and regulations relating to stormwater discharges; and

(5) To establish the legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.

§225-2. DEFINITIONS

For the purposes of this bylaw, the following shall mean:

AUTHORIZED ENFORCEMENT AGENCY - The Board of Health (hereafter the Board), its employees or agents designated to enforce this bylaw.

BEST MANAGEMENT PRACTICE (BMP) - An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

CLEAN WATER ACT - The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

DISCHARGE OF POLLUTANTS - The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

GROUNDWATER - Water beneath the surface of the ground.

ILLICIT CONNECTION - A surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this bylaw.

ILLICIT DISCHARGE - Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Section 7. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit, or resulting from fire fighting activities exempted pursuant to Section 7, subsection 4, of this bylaw.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM - The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Southborough.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT - A permit issued by United States Environmental Protection Agency or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

NON-STORMWATER DISCHARGE - Discharge to the municipal storm drain system not composed entirely of stormwater.

PERSON - Any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to Town Bylaws, administrative agency, public or quasi-public corporation or body, the Town of Southborough, and any other legal entity, its legal representatives, agents, or assigns.

POLLUTANT - Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works or waters of the Commonwealth. Pollutants shall include, but not be limited to, the following:

(1) paints, varnishes, and solvents;

(2) oil and other automotive fluids;

(3) non-hazardous liquid and solid wastes and yard wastes;

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

(4) refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;

(5) pesticides, herbicides, and fertilizers;

(6) hazardous materials and wastes; sewage, fecal coliform and pathogens;

(7) dissolved and particulate metals;

(8) animal wastes;

(9) rock, sand, salt, soils;

(10) construction wastes and residues; and

(11) noxious or offensive matter of any kind.

PROCESS WASTEWATER - Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

RECHARGE - The replenishment of underground water reserves.

STORMWATER - Storm water runoff, snow melt runoff, and surface water runoff and drainage.

SURFACE WATER DISCHARGE PERMIT - A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.

TOXIC OR HAZARDOUS MATERIAL OR WASTE - Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under M.G.L. Ch. 21C and Ch. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

WATERCOURSE - A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

WATERS OF THE COMMONWEALTH - All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

WASTEWATER - Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

§225-3. APPLICABILITY

This bylaw shall apply to flows entering the municipally owned storm drainage system.

§225-4. AUTHORITY

This bylaw is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Home Rule Procedures Act, and pursuant to the regulations of the Federal Clean Water Act found at 40 CFR 122.34.

§225-5. ADMINISTRATION

The Board of Health shall administer, implement and enforce this bylaw. Any powers granted to or duties imposed upon the Board may be delegated in writing by the Board to employees or agents of the Board or the Town of Southborough.

§225-6. REGULATIONS

The Board shall promulgate rules and regulations to effectuate the purposes of this bylaw. Failure by the Board to promulgate such rules and regulations shall not have the effect of suspending or invalidating this bylaw.

§225-7. PROHIBITED ACTIVITIES

(1) Illicit Discharges. No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into the municipal separate storm sewer system (MS4), into a watercourse, into a wetland resource area, or into the waters of the Commonwealth.

(2) Illicit Connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

(3) Obstruction of Municipal Storm Drain System. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from the Board.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

§225-8. EXEMPTIONS

Discharge or flow resulting from fire fighting activities are exempt. The following non-stormwater discharges or flows are also exempt from the prohibition of non-stormwaters provided that the source will not damage or threaten public health and the environment:

(1) Waterline flushing and flow from potable water sources;
(2) Springs, natural flow from riparian habitats and wetlands, diverted stream flow and rising groundwater;
(3) Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;
(4) Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, sump pumps or air conditioning condensation;
(5) Discharge from landscape irrigation or lawn watering;
(6) Water from non-commercial car washing;
(7) Discharge from dechlorinated swimming pool or hot tub water (less than one ppm chlorine) provided the pool or hot tub is drained in such a way as not to cause a nuisance;
(8) Discharge from street sweeping, discharge of sand and deicers used for public safety purposes;
(9) Emergency repairs to the municipal storm drain system, and any stormwater management structure or practice that poses a threat to public health or safety, or as deemed necessary by the Board;
(10) Dye testing, provided verbal notification is given to the Board prior to the time of the test;
(11) Non-stormwater discharge permitted under an NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations, and
(12) Discharge for which advanced written approval is received from the Board as necessary to protect public health, safety, welfare or the environment.

§225-9. EMERGENCY SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS

The Board may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Board of Health and Health Agent may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

§225-10. NOTIFICATION OF SPILLS

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants into the municipal drainage system, a wetland resource area or the waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the Southborough Fire and Police Departments and the Board of Health and Health Agent. In the event of a release of non-hazardous material, the reporting person shall notify the Board of Health and Health Agent no later than the next business day. The reporting person shall provide to the Board of Health written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

§225-11. ENFORCEMENT

The Board or an authorized agent of the Board shall enforce this bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

(1) Orders. The Board or an authorized agent of the Board may issue a written order to enforce the provisions of this bylaw or the regulations thereunder, which may include: (a) elimination of illicit connections or discharges to the MS4; (b) performance of monitoring, analyses, and reporting; (c) that unlawful discharges, practices, or operations shall cease and desist; and (d) remediation of contamination in connection therewith.

If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the town may, at its option, undertake such work, and expenses thereof shall be charged to the violator.

Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the town including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Board within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Board affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in M.G.L. Ch. 59, §57 after the thirty-first day at which the costs first become due.

(2) Penalties. Any person who violates any provision of this Bylaw, regulation, or permit issued hereunder, shall be subject to fines, civil action, criminal prosecution, and tax liens, as appropriate and as lawfully established by the Town of Southborough.

(3) Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the town may utilize the non-criminal disposition procedure set forth in M.G.L. Ch. 40, §21D in which case the Health Agent or other authorized agent of the town shall be the enforcing person. If non-criminal disposition is used, any person who violates any provision of this bylaw, regulation, order or permit issued thereunder, shall be punished by a fine of an amount up to and including $300.00 per violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. *Sept.14, 2006 Attorney General's Office stated "in the absence of a specific penalty, the non-criminal disposition option is not available to the town to enforce Chapter 225," Therefore eliminated the words "If a non-criminal disposition is used, any person who violates any provision of this bylaw, regulation, order or permit issued thereunder, shall be punished by a fine of an amount up to and including $300.00 per violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense."*

(4) Entry to Perform Duties Under this Bylaw. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Board, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys or sampling as the Board deems reasonably necessary.

(5) Appeals. Further relief shall be to a court of competent jurisdiction.

(6) Remedies Not Exclusive. The remedies listed in this bylaw are not exclusive of any other remedies available under any applicable federal, state or local law.

§225-12. SEVERABILITY
The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause, of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

§225-13. TRANSITIONAL PROVISIONS
Residential property owners shall have one hundred and twenty (120) days from the effective date of the bylaw to comply with its provisions provided good cause is shown for the failure to comply with the bylaw during that period.
, or do or act anything in relation thereto. (Proposed by the Board of Health)

MOTION MADE: That the Town amend the Code of the Town of Southborough by inserting a new Chapter 225, Illicit Discharge as printed in the Warrant.
MOTION VOTED UNANIMOUSLY.

Approved by the Attorney General on September 14, 2006.

ARTICLE 44: To see if the Town will vote to amend the Code of the Town of Southborough by deleting Chapter 85, Earth Removal, in its entirety and inserting a new Chapter 85 to read as follows:
§85-1. Purpose
This bylaw is intended to provide regulation for the filling of land and the removal of our valuable natural resources including sand, gravel, stone, soil, loam, sod, clay and mineral products to protect land, water, scenic and historic resources.
§85-2. Definition
EARTH REMOVAL: The removal of earth materials from a lot or parcel including, but not limited to, sand, gravel, stone, soil, loam, sod, clay and mineral products.
§85-3. Applicability
The filling, removal or stockpiling of materials consisting of more than 100 cubic yards of sand, gravel, stone, soil, loam, sod, fill and mineral products to or from a lot or parcel not in public use shall require an Earth Removal Permit granted by the Board of Selectmen unless such removal is:

(a) At the site of, incidental to, and in connection with, the necessary excavation, grading and construction of a building, structure, parking areas and appurtenant driveways pursuant to an approved subdivision, special permit or site plan decision by the Planning Board, or
(b) Pursuant to a building permit issued by the Building Inspector on a site on which the earth removal work is occuring on an existing or proposed slope of 15% or less, or
(c) For the purpose of gardening, landscaping, construction of walkways, patios, driveways or similar purposes, swimming pools, installation, repair or replacement of septic systems and wells when approved by the Board of Health providing the earth removal work is on an existing or proposed slope of 15% or less, or
(d) For the purpose of the construction and associated grading of a street that has been approved by the Planning Board, or

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

(e) For the purpose of public works activities related to the maintenance or improvement of public land or buildings, the maintenance, reconstruction or resurfacing of any public way; or the installation of drainage structures or utilities that have been approved by the appropriate authorities, or

(f) For the removal of earth materials undertaken in connection with a sand and gravel operation or similar enterprise where such activity is allowed by zoning, or

(g) For the removal of earth materials undertaken in connection with an agricultural use if the removal is necessary for or directly related to planting, cultivating or harvesting or the raising or care of animals, or

(h) In accordance with the terms of an Order of Conditions or Determination of Applicability issued by the Conservation Commission pursuant to M.G.L. Ch. 131, Section 40, or the Southborough Wetlands Protection Bylaw, Chapter 170 of the Code of the Town of Southborough.

§85-4. Application and Procedure

A. The Board of Selectmen (hereinafter "the Board") shall be the permit granting authority for the issuance of an Earth Removal Permit. Such permit applications shall be submitted, considered, and issued only in accordance with the provisions of this Bylaw.

B. Any person who desires an Earth Removal Permit shall submit an earth removal plan prepared and stamped and signed by a professional engineer registered in Massachusetts, or a Registered Land Surveyor, as appropriate, showing existing and proposed topography at a scale of one inch equals twenty feet including:

  (1) The boundaries and topography of the property, including contours at a 2 ft interval specifically indicating the areas with slopes 15% or greater on which the earth removal is proposed to occur;

  (2) The size and location of all existing and proposed buildings, structures, driveways and parking areas on the site and the location of all structures on abutting properties within 50 feet of the property lines of the parcel;

  (3) A plan and narrative description of the method of removal, including the means proposed to provide erosion and sedimentation control, to protect groundwater, to control dust, and to protect abutting properties and/or adjacent areas, and

  (4) A planting plan to ensure permanent re-vegetation of the site unless the disturbed area will be covered by gravel, hardscape or a building or structure.

C. Based upon the size or character of the project including the volume of earth materials to be removed, area of disturbance and the percent slope on which the work is to occur, the Board may require additional information or an impact statement or may waive some or all of the requirements of the Earth Removal permit application.

D. The Board shall hold a public hearing within 60 days of receipt of an Application for an Earth Removal Permit. Notice of said hearing shall be given, at the expense of the applicant, by publication in a newspaper of general circulation in Southborough and by written notice to all abutters and abutters to abutters within three hundred (300) feet.

E. The applicant shall make all requests for waivers in writing. The Board may require the applicant to submit supporting technical information and documentation to demonstrate why such waiver/s should be granted. The Board's decision to grant or deny waivers shall be in writing and shall set forth the reasons for the grant or denial.

§85-5. Findings and Conditions of Approval

A. The Board shall not approve an application for an Earth Removal Permit unless it finds that, where applicable, all of the following requirements will be met:

  (1) Reasonable measures shall be employed to minimize adverse impacts on wildlife habitats and corridors, natural or historic landscape features, and scenic vistas and views;

  (2) There shall be no net increase in the rate of stormwater runoff from the site;

  (3) There shall be no net increase in the volume of stormwater runoff across the boundaries of the site unless provisions have been made to tie into the public storm drains, where available, with the approval of the appropriate parties or authorities or, the Board has determined that all reasonable provisions have been made to minimize any changes in stormwater runoff at the site;

  (4) There shall be no adverse impacts to groundwater resources in terms of quantity or quality;

  (5) There shall be no adverse impacts to abutting properties from any change in volume of stormwater runoff resulting from earth removal including erosion, silting, flooding, sedimentation or impacts to wetlands, ground water resources or wells;

  (6) The duration of exposure of disturbed areas due to removal of vegetation, soil removal, and/or re-grading shall be set forth in a written time table and approved by the Board;

  (7) Where the site is not proposed to be covered with gravel, hardscape, or a building or structure, a planting plan to ensure permanent re-vegetation of the site has been approved;

  (8) Areas to be planted shall be loamed with not less than six inches (6") compacted depth of good quality loam and seeded with turf grass seed or other appropriate ground cover in accordance with good planting practice;

(9) Dust control shall be used during grading operations if the grading is to occur within five hundred (500') feet of an occupied residence or place of business, school, playground, park, cemetery, or place of worship, and

(10) Throughout the duration of the earth removal process a gravel apron of fifteen feet (15') wide and at least twenty-five feet (25') long shall be required at any site access from a paved public way to prevent unstable material from being transported onto the roadway by vehicle tires.

B. The Board may require a cash performance guaranty to ensure compliance with these requirements or to reclaim the site. The form of the bond shall be approved by the Board upon the recommendation of Town Counsel and the Town Treasurer, as appropriate. With the approval of the Board and upon the recommendation of Town Counsel and the Town Treasurer, as appropriate, the applicant may substitute an irrevocable letter of credit or performance bond in lieu of the cash performance guaranty. Any performance bond or letter of credit shall be executed and maintained by a financial institution, surety, or Guaranty Company qualified to do business in the Commonwealth of Massachusetts.

§85-6. Requirements and Limitations

A. Based upon the nature of the application the Board may impose reasonable requirements or limitations to minimize the impacts, if any, on abutting properties or uses.

B. The Board may deny an Earth Removal Permit if it determines the requirements of this Bylaw are not met, or the intent of the application is to circumvent other provisions of the Town's bylaws or regulations.

C. No permit issued pursuant to this Bylaw shall be effective for more than one (1) year from the date of issue. A request to extend said time limits shall be made in writing to the Board at least 30 days prior to said expiration date. After consideration of the request for extension, the Board may grant or deny such extension, and require any appropriate changes to this approval.

D. The failure of the Board to act upon any application for an Earth Removal Permit for a period of ninety (90) days after receipt thereof shall constitute approval of the application.

§85-7. Enforcement

The Board or its authorized agent and the Town of Southborough shall have the power and duty to enforce this Bylaw, its regulations, decisions, orders, violation notices, and enforcement orders issued pursuant to this Bylaw, and may pursue all civil and criminal remedies for such violations.

§85-8. Severability

Any determination that a particular provision or set of provisions in this Bylaw are invalid or unenforceable shall not render ineffective, unenforceable, or inapplicable the remainder of this Bylaw.
, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town amend the Code of the Town of Southborough by deleting Chapter 85, Earth Removal, in its entirety and inserting a new Chapter 85 as printed in the Warrant.

FIRST AMENDMENT TO MOTION: To amend **Section 85-3. Applicability** by deleting:

"The filling and removal or stockpiling of materials consisting of more than 100 cubic yards of sand, gravel, stone, soil, loam, sod, fill and mineral products to or from a lot or parcel not in public use shall require an Earth Removal Permit granted by the Board of Selectmen unless such removal is:"

And inserting

" The filling, **or** removal **of materials consisting of more than 400 cubic yards** or stockpiling of materials consisting of more than 100 cubic yards of sand, gravel, stone, soil, loam, sod, fill and mineral products to or from a lot or parcel not in public use shall require an Earth Removal Permit granted by the Board of Selectmen unless such removal is:"

AMENDMENT VOTED UNANIMOUSLY.

SECOND AMENDMENT TO MOTION: That the following is added to Article 44 Code §85-6 paragraph C :

> "Notice of a request to extend said time limits, shall be made by written notice at the expense of the applicant, to all abutters and abutters to abutters within (300) three hundred feet."

SECOND AMENDMENT VOTED UNANIMOUSLY.

MOTION MADE WITH AMENDMENTS ON ARTICLE 44:

§85-1. Purpose

This bylaw is intended to provide regulation for the filling of land and the removal of our valuable natural resources including sand, gravel, stone, soil, loam, sod, clay and mineral products to protect land, water, scenic and historic resources.

§85-2. Definition

EARTH REMOVAL: The removal of earth materials from a lot or parcel including, but not limited to, sand, gravel, stone, soil, loam, sod, clay and mineral products.

§85-3. Applicability

The filling or removal of materials consisting of more than 400 cubic yards or stockpiling materials consisting of more than 100 cubic yards of sand, gravel, stone, soil, loam, sod, fill and mineral products to or from a lot or parcel not in public use shall require an Earth Removal Permit granted by the Board of Selectmen unless such removal is:

(a) At the site of, incidental to, and in connection with, the necessary excavation, grading and construction of a building, structure, parking areas and appurtenant driveways pursuant to an approved subdivision, special permit or site plan decision by the Planning Board, or
(b) Pursuant to a building permit issued by the Building Inspector on a site on which the earth removal work is occuring on an existing or proposed slope of 15% or less, or
(c) For the purpose of gardening, landscaping, construction of walkways, patios, driveways or similar purposes, swimming pools, installation, repair or replacement of septic systems and wells when approved by the Board of Health providing the earth removal work is on an existing or proposed slope of 15% or less, or
(d) For the purpose of the construction and associated grading of a street that has been approved by the Planning Board, or
(e) For the purpose of public works activities related to the maintenance or improvement of public land or buildings, the maintenance, reconstruction or resurfacing of any public way; or the installation of drainage structures or utilities that have been approved by the appropriate authorities, or
(f) For the removal of earth materials undertaken in connection with a sand and gravel operation or similar enterprise where such activity is allowed by zoning, or
(g) For the removal of earth materials undertaken in connection with an agricultural use if the removal is necessary for or directly related to planting, cultivating or harvesting or the raising or care of animals, or
(h) In accordance with the terms of an Order of Conditions or Determination of Applicability issued by the Conservation Commission pursuant to M.G.L. Ch. 131, Section 40, or the Southborough Wetlands Protection Bylaw, Chapter 170 of the Code of the Town of Southborough.

§85-4. Application and Procedure

A. The Board of Selectmen (hereinafter "the Board") shall be the permit granting authority for the issuance of an Earth Removal Permit. Such permit applications shall be submitted, considered, and issued only in accordance with the provisions of this Bylaw.
B. Any person who desires an Earth Removal Permit shall submit an earth removal plan prepared and stamped and signed by a professional engineer registered in Massachusetts, or a Registered Land Surveyor, as appropriate, showing existing and proposed topography at a scale of one inch equals twenty feet including:
  (1) The boundaries and topography of the property, including contours at a 2 ft interval specifically indicating the areas with slopes 15% or greater on which the earth removal is proposed to occur;
  (2) The size and location of all existing and proposed buildings, structures, driveways and parking areas on the site and the location of all structures on abutting properties within 50 feet of the property lines of the parcel;
  (3) A plan and narrative description of the method of removal, including the means proposed to provide erosion and sedimentation control, to protect groundwater, to control dust, and to protect abutting properties and/or adjacent areas, and
  (4) A planting plan to ensure permanent re-vegetation of the site unless the disturbed area will be covered by gravel, hardscape or a building or structure.
C. Based upon the size or character of the project including the volume of earth materials to be removed, area of disturbance and the percent slope on which the work is to occur, the Board may require additional information or an impact statement or may waive some or all of the requirements of the Earth Removal permit application.
D. The Board shall hold a public hearing within 60 days of receipt of an Application for an Earth Removal Permit. Notice of said hearing shall be given, at the expense of the applicant, by publication in a newspaper of general circulation in Southborough and by written notice to all abutters and abutters to abutters within three hundred (300) feet.
E. The applicant shall make all requests for waivers in writing. The Board may require the applicant to submit supporting technical information and documentation to demonstrate why such waiver/s should be granted. The Board's decision to grant or deny waivers shall be in writing and shall set forth the reasons for the grant or denial.

§85-5. Findings and Conditions of Approval

A. The Board shall not approve an application for an Earth Removal Permit unless it finds that, where applicable, all of the following requirements will be met:
  (1) Reasonable measures shall be employed to minimize adverse impacts on wildlife habitats and corridors, natural or historic landscape features, and scenic vistas and views;
  (2) There shall be no net increase in the rate of stormwater runoff from the site;
  (3) There shall be no net increase in the volume of stormwater runoff across the boundaries of the site unless provisions have been made to tie into the public storm drains, where available, with the approval of the appropriate parties or authorities or, the Board has determined that all reasonable provisions have been made to minimize any changes in stormwater runoff at the site;

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

(4) There shall be no adverse impacts to groundwater resources in terms of quantity or quality;
(5) There shall be no adverse impacts to abutting properties from any change in volume of stormwater runoff resulting from earth removal including erosion, silting, flooding, sedimentation or impacts to wetlands, ground water resources or wells;
(6) The duration of exposure of disturbed areas due to removal of vegetation, soil removal, and/or re-grading shall be set forth in a written time table and approved by the Board;
(7) Where the site is not proposed to be covered with gravel, hardscape, or a building or structure, a planting plan to ensure permanent re-vegetation of the site has been approved;
(8) Areas to be planted shall be loamed with not less than six inches (6") compacted depth of good quality loam and seeded with turf grass seed or other appropriate ground cover in accordance with good planting practice;
(9) Dust control shall be used during grading operations if the grading is to occur within five hundred (500') feet of an occupied residence or place of business, school, playground, park, cemetery, or place of worship, and
(10) Throughout the duration of the earth removal process a gravel apron of fifteen feet (15') wide and at least twenty-five feet (25') long shall be required at any site access from a paved public way to prevent unstable material from being transported onto the roadway by vehicle tires.

B. The Board may require a cash performance guaranty to ensure compliance with these requirements or to reclaim the site. The form of the bond shall be approved by the Board upon the recommendation of Town Counsel and the Town Treasurer, as appropriate. With the approval of the Board and upon the recommendation of Town Counsel and the Town Treasurer, as appropriate, the applicant may substitute an irrevocable letter of credit or performance bond in lieu of the cash performance guaranty. Any performance bond or letter of credit shall be executed and maintained by a financial institution, surety, or Guaranty Company qualified to do business in the Commonwealth of Massachusetts.

§85-6. Requirements and Limitations

A. Based upon the nature of the application the Board may impose reasonable requirements or limitations to minimize the impacts, if any, on abutting properties or uses.

B. The Board may deny an Earth Removal Permit if it determines the requirements of this Bylaw are not met, or the intent of the application is to circumvent other provisions of the Town's bylaws or regulations.

C. No permit issued pursuant to this Bylaw shall be effective for more than one (1) year from the date of issue. A request to extend said time limits shall be made in writing to the Board at least 30 days prior to said expiration date. After consideration of the request for extension, the Board may grant or deny such extension, and require any appropriate changes to this approval. **Notice of a request to extend said time limits, shall be made by written notice at the expense of the applicant, to all abutters and abutters to abutters within (300) three hundred feet.**

D. The failure of the Board to act upon any application for an Earth Removal Permit for a period of ninety (90) days after receipt thereof shall constitute approval of the application.

§85-7. Enforcement

The Board or its authorized agent and the Town of Southborough shall have the power and duty to enforce this Bylaw, its regulations, decisions, orders, violation notices, and enforcement orders issued pursuant to this Bylaw, and may pursue all civil and criminal remedies for such violations.

§85-8. Severability

Any determination that a particular provision or set of provisions in this Bylaw are invalid or unenforceable shall not render ineffective, unenforceable, or inapplicable the remainder of this Bylaw.

MOTION MADE WITH AMENDMENT PASSED UNANIMOUSLY.

Approved by the Attorney General on September 14, 2006.

MOTION MADE: to bring Article 47 before Article 46.
MOTION VOTED UNANIMOUSLY.

ARTICLE 47: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, by inserting a new §174.13.3 – "Lower Impact Development" to read as follows:

174-13.3 LOWER IMPACT DEVELOPMENT

A. Purpose and Authority

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the Bylaws of the Federal Clean Water Act found at 40 CFR 122.34.

Environmental protection is a significant concern of the Town of Southborough. It is in the public interest to minimize the impacts associated with land development and to regulate post-development stormwater runoff discharges to control and minimize increases in stormwater runoff rates and volumes, post-construction soil erosion and sedimentation, stream channel erosion, and nonpoint source pollution associated with post development stormwater runoff. Lower Impact Development (hereinafter LID) site planning and management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, protect water and aquatic resources, and promote groundwater recharge to protect surface, groundwater, and drinking water supplies.

The purpose of this Bylaw is as follows:

(1) To protect the quality and quantity of surface waters, reservoirs, and ground water, to maintain the integrity of aquatic living resources and ecosystems, and to preserve the physical integrity of receiving streams and water bodies;

(2) To encourage a more efficient form of development that consumes less open land and protects existing topography, wildlife habitats, and natural features;

(3) To require that new development, redevelopment and all land conversion activities maintain the natural hydrologic characteristics of the land to reduce flooding, stream bank erosion, siltation, nonpoint source pollution, property damage, and to maintain the integrity of stream channels and aquatic habitats;

(4) To establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources, and

(5) To minimize the total amount of disturbance of the land.

B. Definitions

Terms not defined in this Bylaw shall be construed according to their customary and usual meaning unless the context indicates a special or technical meaning.

ALTER - Any activity, which will measurably change the ability of a ground surface area to absorb water or will change existing surface drainage patterns. Alter may be similarly represented as "alteration of drainage characteristics," and "conducting land disturbance activities."

BIORETENTION AREAS - Shallow depressions filled with engineered soils, topped with a thick layer of mulch, and planted with dense vegetation that reduce the overall amount of runoff to be treated by infiltrating stormwater to the ground.

DISTURBED AREA - an area, man-made or natural, where the existing condition has been or is proposed to be altered.

INFILTRATION - The act of conveying surface water into the ground to recharge groundwater and to reduce stormwater runoff from a project site.

LOWER IMPACT DEVELOPMENT (LID) - An ecosystem-based approach to land development and stormwater management that ensures that each development site is designed to protect, or restore, the natural hydrology of the site.

LID MANAGEMENT - The use of structural or non-structural practices that are designed to reduce stormwater runoff pollutant loads, discharge volumes, and/or peak flow discharge rates.

LID TECHNIQUES - Engineering measures that compensate for the reduced infiltration and storage characteristics of developed sites.

MASSACHUSETTS STORMWATER MANAGEMENT POLICY - The Policy issued by the Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act M.G.L. c. 131 § 40 and Massachusetts Clean Waters Act M.G.L. c. 21, § 23-56. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

MULTIFUNCTIONAL LANDSCAPE FEATURES - Bioretention areas, swales, and conservation areas that mimic or replicate hydrologic functions and maintain the ecological/biological integrity of receiving streams and water bodies.

MUNICIPAL STORM DRAIN SYSTEM - The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Southborough.

NEW DEVELOPMENT - Any construction or land disturbance of a parcel of land that is currently in a natural vegetated state and does not contain significant alterations by man-made activities.

NONPOINT SOURCE POLLUTION - Pollution from many diffuse sources caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into water resource areas.

OPERATION AND MAINTENANCE PLAN: A plan that defines the functional, financial, and organizational mechanisms for the ongoing operation.

PERSON - Any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to Town Bylaws, administrative agency, public or quasi-public corporation or body, the Town of Southborough, and any other legal entity, its legal representatives, agents, or assigns.

PRE-DEVELOPMENT - The conditions that exist at the time that plans for the development of a tract of land are submitted to the Special Permit Granting Authority. Where phased development or plan

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first plan submission shall establish pre-development conditions.

POINT SOURCE - Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

POST-DEVELOPMENT - The conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land. Post-development refers to the phase of a new development or redevelopment project after completion, and does not refer to the construction phase of a project.

RECHARGE - The replenishment of underground water reserves.

REDEVELOPMENT - Any construction, alteration, or improvement where the existing land use is commercial, industrial, institutional, or multi-family residential.

RESOURCE AREA - Any area protected under federal, state, or local law or regulation including without limitation: the Massachusetts Wetlands Protection Act and the Southborough Wetlands Protection Bylaw.

RUNOFF: Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENTATION - A process of depositing material that has been suspended and transported in water.

SITE - the parcel of land being developed or a designated planning area in which the land development project is located.

C. Applicability
This bylaw shall be applicable to all new development and redevelopment, including, but not limited to, site plan applications, subdivision applications, grading applications, land use conversion applications, any activity that will result in an increased amount of stormwater runoff or pollutants flowing from a parcel of land, or any activity that will alter the drainage characteristics of a parcel of land, unless exempt pursuant to Section D of this Bylaw. After **April 10, 2006** the Planning Board shall not approve any application for development or re-development if the land or parcels of land were held in common ownership (including ownership by related or jointly-controlled persons or entities) and were subdivided or otherwise modified to avoid compliance. A development shall not be segmented or phased in a manner to avoid compliance with this By-Law. A LID Special Permit shall be required from the Planning Board for the following:
(1) Any activity subject to Major Plan Review (§ 174-10);
(2) Any activity that will result in soil disturbance of one acre or more;
(3) Any residential development or redevelopment of five (5) or more acres of land proposed pursuant to "the Subdivision Control Law" M.G.L. c. 41 §81K to 81GG inclusive, or proposed under a special permit process pursuant to M.G.L. c. 40A §9.

D. Exemptions
(1) Any activity that will disturb an area less than one acre.
(2) Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04 and MGL Chapter 40A Section 3.
(3) Construction and associated grading of a way that has been approved by the Planning Board;
(4) The maintenance, reconstruction or resurfacing of any public way; and the installation of drainage structures and utilities within or associated with public ways that have been approved by the appropriate authorities;
(5) Emergency repairs to any stormwater management facility or practice that poses a threat to public health or safety, or as deemed necessary by the Special Permit Granting Authority;
(6) Any work or projects for which all necessary approvals and permits have been issued before the effective date of this Bylaw.
(7) Redevelopment projects are presumed to meet the specified LID requirements described in the LID Bylaw of the Town of Southborough if the total impervious cover is reduced by 40% from existing conditions. Where site conditions prevent the reduction in impervious cover, LID practices shall be implemented to provide stormwater controls for at least 40% of the site's impervious area. When a combination of impervious area reduction and implementation of LID techniques is used for redevelopment projects, the combination of impervious area reduction and the area controlled by a LID practice shall equal or exceed 40%.

E. Special Permit Application and Procedure
(1) The Planning Board shall be the special permit granting authority for the issuance of a LID Special Permit. Such special permits applications shall be submitted, considered, and issued only in accordance with the provisions of this Bylaw and M.G.L. c. 40A, §9.
(2) To obtain approval for a project subject to the provisions of this Bylaw, the applicant shall submit a LID Special Permit Application that meets the LID site design principles stated below, a LID Management Plan and an Operation and Maintenance Plan that complies with the requirements set forth herein and in the regulations adopted pursuant to this Bylaw.
  (a) Preservation of the site's natural features and environmentally sensitive areas such as wetlands, native vegetation, mature trees, slopes, drainageways, permeable soils, flood plains, woodlands and soils to the greatest extent possible;
  (b) Minimization of grading and clearing;

(c) Clustering of buildings;
(d) Use of stormwater management components that provide filtration, treatment and infiltration such as vegetated areas that slow down runoff; maximizing infiltration and reducing contact with paved surfaces;
(e) Creation of subwatersheds to treat and manage runoff in smaller, decentralized, low-tech stormwater management techniques to treat and recharge stormwater close to the source;
(f) Emphasis of simple, nonstructural, low-tech, low-cost methods including open drainage systems, disconnection of roof runoff, and street sweeping;
(g) Reduction of impervious surfaces wherever possible through alternative street design, such as omission of curbs and use of narrower streets, shared driveways and through the use ofshared parking areas;
(h) Reduction of any heat island effect;
(i) Use of native plant vegetation (invasive species prohibited) in buffer strips and in rain gardens (small planted depressions that can trap and filter runoff). Naturalized, non-invasive plant species may be substituted for native plant vegetation subject to the Board's approval.
(j) Techniques integrated into every aspect of site design to create a hydrologically functional lot or site, including the following:
    i. Vegetated open channel systems along roads;
    ii. Rain gardens;
    iii. Buffer strips;
    iv. Use of roof gardens where practicable;
    v. Use of amended soils that will store, filter and infiltrate runoff;
    vi. Bioretention areas;
    vii. Use of rain barrels and other cisterns to provide additional stormwater storage;
    viii. Use of permeable pavement.

(3) The Planning Board may waive some of the requirements for a LID Special Permit application if it determines that some of the application requirements are unnecessary because of the size or character of the development project or because of the natural conditions at the site. Waivers that are granted at the initial approval may not be binding if the reasons for which the waiver was granted are changed or no longer exist.

(4) The applicant shall make all requests for waivers in writing. The applicant shall submit supporting technical information and documentation to demonstrate that some, or all, of the requirements are unnecessary because of minimal environmental impact or other reasons why such waiver/s should be granted. The Planning Board's decision to grant or deny waivers shall be in writing and shall set forth the reasons for the grant or denial.

(5) At the time of application, the applicant shall provide in writing the name of the person who is responsible for the site disturbing activity which is the subject of the application. Said person shall ensure that the approved activity takes place in accordance with the application, plan and special permit requirements.

F. Entry

Filing an application for a special permit grants the Board, or its agent, permission to enter the site to verify the information in the application and to inspect for compliance with the resulting special permit.

G. LID Management Plan

(1) The LID Management Plan shall contain sufficient information for the Planning Board to evaluate the environmental impact, effectiveness, and acceptability of the site planning process and the measures proposed by the applicant to reduce all adverse impacts from stormwater runoff to control and minimize increases in stormwater runoff rates and volumes, post-construction soil erosion and sedimentation, stream channel erosion, and nonpoint source pollution associated with post development stormwater runoff, and to minimize the impacts associated with land development. This plan shall be in accordance with the criteria established in this bylaw and the supporting regulations and must be prepared, stamped and signed by a professional engineer registered in Massachusetts, a Registered Land Surveyor, or a Massachusetts Licensed Soil Evaluator, as appropriate.

(2) The LID Management Plan shall fully describe the project in drawings, narrative, and calculations. It shall meet the criteria set forth in the regulations adopted pursuant to this Bylaw.

H. Operation and Maintenance Plan Contents

The Operation and Maintenance Plan (O&M Plan) shall be designed to ensure compliance with the LID Special Permit, this Bylaw and to ensure that the Massachusetts Surface Water Quality Standards, 314, CMR 4.00 are met in all seasons and throughout the life of the system. The O&M Plan shall be prepared in accordance with the criteria established in the regulations adopted pursuant to this Bylaw, and shall be stamped and signed by a professional engineer registered in Massachusetts, and a Registered Land Surveyor, as appropriate. The O&M Plan shall remain on file with the Planning Board and shall be an ongoing requirement.

I. Performance Standards: LID Criteria

The LID application and required plans shall meet the general performance criteria set forth in the regulations adopted pursuant to this Bylaw.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

J. Findings and Conditions of Approval

(1) The Board shall not approve any application for a LID Special Permit unless it finds that the following conditions have been met and the LID techniques listed herein have been employed to the maximum extent practicable to meet the stated purpose of this Bylaw.

(a) A separate special permit shall be required from the Planning Board when an area totaling one acre or more on any parcel or contiguous parcels in the same ownership will have the existing vegetation clear-stripped or be filled six inches or more so as to destroy existing vegetation unless in conjunction with agricultural activity or unless necessarily incidental to construction on the premises under a currently valid building permit or unless within streets which are either public or designated on an approved subdivision plan. The special permit shall require that run-off be controlled, erosion prevented and either a constructed surface or cover vegetation be provided not later than the first full spring season immediately following completion of the stripping operation. Any stripped area that is allowed to remain stripped through the winter shall have a temporary cover of winter rye or similar plant material for soil control, except in the case of agricultural activity when such temporary cover would be infeasible.

(b) Measures shall be employed to minimize adverse impacts on wildlife habitats and corridors, natural or historic landscape features, and scenic vistas and views.

(c) Compliance with all applicable federal, state and local regulations and guidelines, including but not limited to the Stormwater Management Handbook as it may be amended, has been demonstrated.

(2) The Planning Board may require a cash performance guarantee to ensure compliance with these requirements and for the operation and maintenance of all permanent LID measures. With the approval of the Board upon the recommendation of Town Counsel and the Town Treasurer, as appropriate, the applicant may substitute an irrevocable letter of credit or performance bond in lieu of the cash performance guarantee. Any performance bond or letter of credit shall be executed and maintained by a financial institution, surety, orGuarantee Company qualified to do business in the Commonwealth of Massachusetts.

(3) Prior to commencement of any land disturbing activity, the applicant shall record the special permit with the Registry of Deeds or Registry District of the Land Court, and the applicant shall submit to the Planning Board written proof of such recording.

(4) At completion of the project, the owner shall submit as-built record drawings of all structural stormwater controls and treatment best management practices required for the site. The as-built drawing shall show deviations from the approved plans, if any, and shall be certified by a professional engineer registered in Massachusetts.

(5) Based upon the nature of the application the Board may impose requirements or limitations to minimize the impacts, if any, on abutting properties or uses.

(6) The site planning process shall be documented and shall include the following steps: a) identify and map environmental resources, b) delineate potential building envelopes avoiding environmental resource areas and appropriate buffers, and c) develop methods to minimize impervious surfaces, and to protect and preserve open space.

(7) All stormwater runoff generated from land development and land use conversion activities shall not discharge untreated stormwater runoff directly to a wetland, local water body, municipal drainage system, or abutting property, without adequate treatment.

(8) The Planning Board may deny a LID Special Permit if it determines:
The requirements set forth herein are not met, or
The intent of the application is to circumvent other provisions of the Town's Zoning Code, rules, or regulations.

K. Enforcement

The Board or its authorized agent and the Town of Southborough shall have the power and duty to enforce this Bylaw, its regulations, decisions, orders, violation notices, and enforcement orders issued pursuant to this Bylaw, and may pursue all civil and criminal remedies for such violations.

Penalties. Any person who violates any provision of this Bylaw, regulation, or permitissued hereunder, shall be subject to fines, civil action, criminal prosecution, and tax liens, as appropriate and as lawfully established by the Town of Southborough.

Tax Liens. The Town of Southborough shall require the repayment of services provided tothe responsible party that the responsible party was obligated to perform as set forth in the Operation and Maintenance Plan. If repayment is not made within thirty (30) days, the Town may impose a tax lien on the property of the responsible party or parties.

L. Severability

Any determination that a particular provision or set of provisions in this Bylaw are invalid or unenforceable shall not render ineffective, unenforceable, or inapplicable the remainder of this Bylaw.

, or do or act anything in relation thereto. (Proposed by the Planning Board)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough by inserting a new §174.13.3 – "Lower Impact Development" as printed in the Warrant.
2/3 VOTE REQUIRED
MOTION VOTED UNANIMOUSLY.

Approved by the Attorney General on September 14, 2006.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

ARTICLE 46: To see if the Town will vote to amend the Zoning Code of the Town of Southborough, by inserting a new §174.13.5 – "Stormwater and Erosion Control" to read as follows:

174-13.5 STORMWATER and EROSION CONTROL

A. Purpose

Regulation of activities that result in the disturbance of land and the creation of stormwater runoff is necessary for the protection of the Town of Southborough to safeguard the health, safety, and welfare of the general public and protect the natural resources of the Town. The purpose of this Bylaw is to prevent or diminish these impacts by controlling runoff and preventing soil erosion and sedimentation resulting from site construction and development.

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the Bylaws of the federal Clean Water Act found at 40 CFR 122.34.

Nothing in this Bylaw is intended to replace the requirements of either the Town of Southborough Wetlands Protection Bylaw, or any other Bylaw that has been or may be adopted by the Town of Southborough. Any activity subject to the provisions of the above-cited Bylaws must comply with the specifications of each applicable bylaw.

The objectives of this Bylaw are to:

(1) Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of wetland and water resources;
(2) Require that new development, redevelopment and all land conversion activities maintain the after-development runoff characteristics as equal to or less than the pre-development runoff characteristics to provide recharge and to reduce flooding, stream bank erosion, siltation, nonpoint source pollution, property damage, and to maintain the integrity of stream channels and aquatic habitats;
(3) Establish minimum construction/alteration and post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality and for the protection of properties and aquatic resources downstream from land development and land conversion activities from damages due to increases in volume, velocity, frequency, duration, and peak flow rate of stormwater runoff;
(4) Establish design criteria for measures to minimize nonpoint source pollution from stormwater runoff which would otherwise degrade water quality;
(5) Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum construction/alteration and post-development stormwater management standards and to encourage the use of nonstructural stormwater management, stormwater site design practices or "low-impact development practices", such as reducing impervious cover and the preservation of open space and other natural areas, to the maximum extent practicable;
(6) Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety;
(7) Establish provisions to ensure there is an adequate funding mechanism, including surety, for the proper review, inspection and long-term maintenance of stormwater facilities implemented as part of this Bylaw; and
(8) Establish administrative procedures and fees for the submission, review, approval, or disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow up.

B. Definitions

AGRICULTURE - The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act (M.G.L. c. 131 §40) and its implementing regulations (310 CMR 10.00).

APPLICANT - Any "person" as defined below requesting a Stormwater and Erosion Control Permit for proposed land-disturbance activity.

AUTHORIZED ENFORCEMENT AGENCY - The Conservation Commission (herinafter "the Commission") and its employees or agents or other employee of the Town of Southborough shall be in charge of enforcing the requirements of this bylaw.

ALTER - Any activity that changes the water quality, or the force, quantity, direction, timing or location of runoff flowing from the area and will measurably change the ability of a ground surface area to absorb water. Such changes include: change from distributed runoff to confined, discrete discharge; change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area. Alter may be similarly represented as "alteration of drainage characteristics," and "conducting land disturbance activities."

BETTER SITE DESIGN - Site design approaches and techniques that can reduce a site's impact on the watershed through the use of nonstructural stormwater management practices. Better site design includes conserving and protecting natural areas and green space, reducing impervious cover, and using natural features for stormwater management.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

BEST MANAGEMENT PRACTICE (BMP) - Structural, non-structural, vegetative and managerial techniques that are recognized to be the most effective and practical means to reduce erosion and sediment, prevent or reduce increases in stormwater volumes and flows, reduce point source and nonpoint source pollution, and promote stormwater quality and protection of the environment. "Structural" BMPs are devices that are engineered and constructed to provide temporary storage and treatment of stormwater runoff. "Nonstructural" BMPs use natural measures to reduce pollution levels, do not require extensive construction efforts, and/or promote pollutant reduction by eliminating the pollutant source.

CONSTRUCTION AND WASTE MATERIALS - Excess or discarded building or construction site materials that may adversely impact water quality, including but not limited to concrete truck washout, chemicals, litter and sanitary waste.

DISTURBED AREA - An area, man-made or natural, where the existing condition has been or is proposed to be altered.

ENVIRONMENTAL SITE MONITOR - A Professional Engineer, or other trained professional selected by the Commission and retained by the holder of a Stormwater and Erosion Control Permit to periodically inspect the work and report to the Commission.

EROSION - A condition in which the earth's surface, including soil or rock fragment, is detached and moved away by the action of water, wind, ice, gravity or other natural means.

GENERAL STORMWATER MANAGEMENT PERMIT (GSMP) - A permit issued for an application that meets a set of pre-determined standards outlined in the Regulations to be adopted by the Commission under this Bylaw. By meeting these pre-determined standards, the proposed project will be presumed to meet the requirements and intent of this Bylaw.

HOTSPOT - Land uses or activities with higher potential pollutant loadings, such as auto salvage yards, auto fueling facilities, fleet storage yards, commercial parking lots with high intensity use, road salt storage areas, commercial nurseries and landscaping, outdoor storage and loading areas of hazardous substances, or marinas.

MASSACHUSETTS STORMWATER MANAGEMENT POLICY - The Policy issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act M.G.L. c. 131 §40 and Massachusetts Clean Waters Act M.G.L. c. 21, §23-56. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

NEW DEVELOPMENT - Any construction or land disturbance of a parcel of land that is currently in a natural vegetated state and does not contain alteration by man-made activities.

PERSON - Any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to Town Bylaws, administrative agency, public or quasi-public corporation or body, the Town of Southborough, and any other legal entity, its legal representatives, agents, or assigns.

PRE-DEVELOPMENT - The conditions that exist at the time that plans for the land development of a tract of land are submitted to the Conservation Commission. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first plan submission shall establish pre-development conditions.

POST-DEVELOPMENT - The conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land. Post-development refers to the phase of a new development or redevelopment project after completion, and does not refer to the construction phase of a project.

RECHARGE - The replenishment of underground water reserves.

REDEVELOPMENT - Any construction, alteration, or improvement exceeding land disturbance of 5,000 square feet, where the existing land use is commercial, industrial, institutional, or multi-family residential.

RUNOFF - Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT - Solid material, whether mineral or organic, that is in suspension, is transported or has been moved from its site of origin by erosion.

SEDIMENTATION - A process of depositing material that has been suspended and transported in water.

SLOPE - The vertical rise divided by the horizontal distance and expressed as a fraction or percentage,

STABILIZED - The elimination of any erosion.

STORMWATER MANAGEMENT HANDBOOK - Stormwater Management Handbook, Volume One and Volume Two, prepared by the Mass. Department of Environmental Protection and the Mass. Office of Coastal Zone Management dated March 1997 as the same may be from time to time revised.

STORMWATER MANAGEMENT PERMIT (SMP) - A permit issued by the Conservation Commission, after review of an application, plans, calculations, and other supporting documents, which is designed to protect the environment of the Town from the deleterious affects of uncontrolled and untreated stormwater runoff.

C. Applicability

This bylaw shall be applicable to all new development and redevelopment, including, but not limited to, site plan applications, subdivision applications, grading applications, land use conversion applications, any activity that will result in an increased amount of stormwater runoff or pollutants flowing from a parcel of land, or any activity that will alter the drainage characteristics of a parcel of land, unless exempt pursuant to Section D of this Bylaw. After (insert date of adoption here) the Commission shall not approve any application for development or re-development if the land or parcels of land were held in common ownership (including ownership by related or jointly-controlled persons or entities) and were subdivided or otherwise modified to avoid compliance. A development shall not be segmented or phased in a manner to avoid compliance with this By-Law. A Stormwater and Erosion Control Permit shall be required from the Commission for the following:

(1) Any activity subject to Major Site Plan Review (§ 174-10);
(2) Any activity that will result in soil disturbance of one acre or more, or more than twenty-five percent (25%) of the parcel or lot, whichever is less;
(3) Any residential development or redevelopment of five (5) or more acres of land proposed pursuant to "the Subdivision Control Law" G. L. c. 41 sec. 81K to 81GG inclusive, or proposed under a special permit process pursuant to G. L. c. 40A sec. 9;
(4) Any activity that will increase the amount of impervious surfaces more than 25% of the area of a parcel or lot, and
(5) Any activity that will disturb land with 15% or greater slope and where the land disturbance is greater than or equal to 2,000 square feet within the sloped area.

D. Exemptions

The following activities are exempt from the requirements of this Bylaw:

(1) Normal maintenance of Town owned public land, ways and appurtenances;
(2) Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04 and MGL Chapter 40A Section 3;
(3) Repair or replacement of septic systems when approved by the Board of Health for the protection of public health;
(4) Normal maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling provided such maintenance does not include the addition of more than 100 cubic yards of soil material, or alteration of drainage patterns;
(5) The construction of fencing that will not alter existing terrain or drainage patterns;
(6) Construction and associated grading of a way that has been approved by the Planning Board;
(7) The maintenance, reconstruction or resurfacing of any public way; and the installation of drainage structures or utilities within or associated with public ways that have been approved by the appropriate authorities provided that written notice be filed with the Conservation Commission fourteen days (14) prior to commencement of activity;
(8) The removal of earth products undertaken in connection with an agricultural use if the removal is necessary for or directly related to planting, cultivating or harvesting or the raising or care of animals, or
(9) Activity in accordance with the terms of an existing Order of Conditions or Determination of Applicability issued by the Commission pursuant to M.GL Ch. 131, Section 40, or the Southborough Wetlands Protection Bylaw, Chapter 170 of the Code of the Town of Southborough.

E. Administration

(1) The Conservation Commission shall be the permit granting authority for the issuance of a Stormwater and Erosion Control Permit and shall administer, implement and enforce this Bylaw. Any powers granted to or duties imposed upon the Commission may be delegated in writing by the Commission to its employees or agents or other municipal employees as appropriate. Such permit applications shall be submitted, considered, and issued only in accordance with the provisions of this Bylaw and the regulations adopted pursuant to this Bylaw.
(2) Stormwater Regulations. The Commission shall adopt, and periodically amend, rules and regulations relating to the terms, conditions, definitions, enforcement, fees, procedures and administration of this Stormwater and Erosion Control Bylaw. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court shall not act to suspend or invalidate the effect of this Bylaw.
(3) Right of Entry. Filing an application for a Stormwater and Erosion Control Permit grants the Commission or its agent, permission to enter the site to verify the information in the application and to inspect for compliance with permit conditions.
(4) Stormwater Management Manual. The Commission will utilize the policy, criteria and information including specifications and standards of the latest edition of the Massachusetts Stormwater Management Policy, for execution of the provisions of this Bylaw. This Policy includes a list of acceptable stormwater treatment practices, including the specific design criteria for each stormwater practice. The Policy may be updated and expanded periodically, based on improvements in engineering, science, monitoring, and local maintenance experience. Unless specifically altered in the Stormwater Regulations, stormwater management practices that are designed, constructed, and maintained in accordance with these design and sizing criteria will be presumed to be protective of Massachusetts's water quality standards.
(5) Application. To obtain approval for a project subject to the provisions of this Bylaw, the applicant shall submit a Stormwater Management and Erosion Control Plan and an Operation and Maintenance Plan prepared, stamped and signed by a professional engineer registered in Massachusetts, a Registered Land Surveyor, or a Massachusetts Licensed Soil Evaluator, as appropriate, that complies with the requirements set forth herein and in the regulations adopted pursuant to this Bylaw. The Operation and Maintenance plan (O&M Plan) shall be designed to ensure compliance with the Permit, this Bylaw, and that the Massachusetts Surface Water Quality Standards, 314, CMR 4.00 are met in all seasons and throughout the life of the system. The O&M Plan shall remain on file with the Commission, the Planning Board, the Department of Public

Works and the Town Engineer and shall be an ongoing requirement. The O&M Plan shall meet the criteria set forth in the regulations adopted pursuant to this Bylaw. The Plans shall fully describe the project in drawings, narrative, and calculations.

  a. At the time of application, the applicant shall provide in writing the name and the 24 hours a day and 7 days a week contact information of the person who is responsible for erosion and sediment control for the site disturbing activity which is the subject of the application. Said person shall ensure that the approved activity takes place in accordance with the application, plan and permit requirements.

F. Fees

The Commission shall establish fees to cover expenses incurred by the town in reviewing the application and monitoring permit compliance. The Commission is authorized to retain and charge the applicant fees to cover the cost of hiring a Registered Professional Engineer or other professional consultant to advise the Commission on any or all aspects of the project. The applicant for a Stormwater and Erosion Control Permit may be required to establish and maintain an escrow account to cover the costs of said consultants. Applicants shall pay review fees to the Commission before the review process may begin.

G. Surety

The Commission may require a cash performance guaranty to ensure compliance with these requirements and for the long term operation and maintenance of all permanent erosion control and stormwater management measures. The form of the bond shall be approved by the Commission upon the recommendation of Town Counsel and the Town Treasurer, as appropriate. With the approval of the Commission upon the recommendation of Town Counsel and the Town Treasurer, as appropriate, the applicant may substitute an irrevocable letter of credit or performance bond in lieu of the cash performance guaranty. Any performance bond or letter of credit shall be executed and maintained by a financial institution, surety, or Guaranty Company qualified to do business in the Commonwealth of Massachusetts.

H. Waivers

(1) The Commission may waive strict compliance with some of the requirements of this Bylaw or the rules and regulations promulgated hereunder, if it determines that some of the application requirements are unnecessary because of the size or character of the development project or because of the natural conditions at the site and where such action:
  (a) is allowed by federal, state and local statutes and/or regulations,
  (b) is in the public interest, and
  (c) is not inconsistent with the purpose and intent of this bylaw.

(2) Any request from an Applicant for a waiver of these rules shall be submitted, in writing, to the Commission at the time of submission of the application. Such requests shall clearly identify the provision/s of the rule from which relief is sought and be accompanied by a statement setting forth the reasons why, in the applicant's opinion, the granting of such a waiver would be in the public interest or the specific information required to show strict compliance is irrelevant to the project, and why a waiver would be consistent with the intent and purpose of this Bylaw and the rules and regulations promulgated hereunder.

I. Findings and Conditions of Approval

(1) The Commission shall not approve any application for a Stormwater and Erosion Control Permit unless it finds that BMPs will be employed to meet the following requirements:
  (a) Compliance with all applicable federal, state and local regulations and guidelines, including but not limited to the Stormwater Management Handbook as it may be amended, has been demonstrated;
  (b) Measures shall be employed to minimize adverse impacts on wildlife habitats and corridors, natural or historic landscape features, and scenic vistas and views;
  (c) The duration of exposure of disturbed areas due to removal of vegetation, soil removal, and/or re-grading shall be set forth in a written time table and approved by the Commission;
  (d) There shall be no net increase in the rate of stormwater runoff from the site;
  (e) There shall be no net increase in the volume of stormwater runoff across the boundaries of the site unless provisions have been made to tie into the public storm drains, where available, with the approval of the appropriate parties or authorities or, the Commission has determined that all reasonable provisions have been made to minimize any changes in stormwater runoff at the site;
  (f) There shall be no adverse impacts to abutting properties from any increase in volume of stormwater runoff including erosion, silting, flooding, sedimentation or impacts to wetlands, ground water levels or wells;
  (g) Where the site is not proposed to be covered with gravel, hardscape, or a building or structure, a planting plan to ensure permanent re-vegetation of the site has been approved;
  (h) Areas to be planted shall be loamed with not less than six inches (6") compacted depth of good quality loam and seeded with turf grass seed or other appropriate ground cover in accordance with good planting practice;
  (i) Dust control shall be used during grading operations if the grading is to occur within five hundred (500') feet of an occupied residence or place of business, school, playground, park, cemetery, or place of worship;
  (j) During construction, temporary erosion and sedimentation control measures will be employed in accordance with the approved plan;

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

(k) During construction, any site access from a paved public way shall be improved with a gravel apron of fifteen feet (15') wide and at least twenty-four feet (24') long to prevent unstable material from being transported onto the street by vehicle tires or by runoff;

(l) Until a disturbed area is permanently stabilized, sediment in runoff water shall be trapped by using a siltation barrier, siltation fences, and/or sedimentation traps;

(m) Dust control shall be used during grading operations if the grading is to occur within five hundred (500) feet of the property line of an occupied residence or place of business. Dust control methods may consist of grading fine soils on calm days only or dampening the ground with water;

(n) Permanent erosion control and vegetative measures shall be in accordance with the approved plan, and

(o) Where applicable, homeowner's, facility or condominium documents shall provide for the long term operation and maintenance of all permanent erosion control and stormwater management measures, including surety.

(2) Based upon the nature of the application the Commission may impose reasonable requirements or limitations to minimize the impacts, if any, on abutting properties or uses.

(3) Prior to commencement of any land disturbing activity, the applicant shall record the permit with the Registry of Deeds or Registry District of the Land Court, and shall submit to the Commission written proof of such recording.

(4) At completion of the project, the owner shall submit as-built record drawings of all structural stormwater controls and treatment best management practices required for the site. The as-built drawing shall show deviations from the approved plans, if any, and shall be certified by a professional engineer registered in Massachusetts.

J. Actions by the Commission

(1) The Commission shall act on each application for a permit within ninety (90) days of the date of filing with the Commission and the Town Clerk, unless such application has been withdrawn from consideration.

(2) The Commission may take any of the following actions as a result of an application for a Stormwater Management and Erosion Control Permit as more specifically defined as part of Stormwater Regulations promulgated as a result of this Bylaw: Approval, Approval with Conditions, Disapproval, or Disapproval without Prejudice.

(3) A Stormwater and Erosion Control Permit may be disapproved if the Commission determines:

(a) The requirements of this Bylaw are not met, or

(b) The intent of the application is to circumvent other provisions of the Town's Zoning Code and regulations.

(4) Appeals of Action by the Commission. A decision of the Commission shall be final. Relief of a decision by the Commission made under this Bylaw shall be reviewable by the Zoning Board of Appeals provided that such appeal is filed within ten (10) business days of the date the decision was filed with the Town Clerk. The remedies listed in this Bylaw are not exclusive of any other remedies available under any applicable federal, state or local law.

K. Enforcement

The Commission or its authorized agent and the Town of Southborough shall have the power and duty to enforce this bylaw, its regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

(1) Penalties. Any person who violates any provision of this Bylaw, regulation, or permit issued hereunder, shall be subject to fines, civil action, criminal prosecution, and tax liens, as appropriate and as lawfully established by the Town of Southborough.

(2) Tax Liens. The Town of Southborough shall require the repayment of services provided to the responsible party that the responsible party was obligated to perform as set forth in the Operation and Maintenance Plan. If repayment is not made within thirty (30) days, the Town may impose a tax lien on the property of the responsible party or parties.

(3) Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the town may utilize the non-criminal disposition procedure set forth in M.G.L. c. 40, §21D in which case the Conservation Administrator, Conservation Agent or other authorized agent of the town shall be the enforcing person. If non-criminal disposition is used, any person who violates any provision of this by-law, regulation, order or permit issued thereunder, shall be punished by a fine of an amount up to and including $300.00 per violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

L. Severability

Any determination that a particular provision or set of provisions in this Bylaw are invalid or unenforceable shall not render ineffective, unenforceable, or inapplicable the remainder of this Bylaw.
, or do or act anything in relation thereto. (Proposed by the Conservation Commission)

MOTION MADE: That the Town amend the Zoning Code of the Town of Southborough, by inserting a new §174.13.5 – "Stormwater and Erosion Control" as printed in the Warrant.

AMENDMENT TO MOTION MADE: To Postpone Indefinitely Article 46.
MOTION TO POSTPONE INDEFINITELY FAILS.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

AMENDMENT TO MOTION: Amend the following in Section 174.13.5, Section C. Applicability:

(2) Any activity that will result in soil disturbance of one acre or more, or more than **fifty percent (50%)** of the parcel of lot, whichever is less;

(4) Any activity that will increase the amount of impervious surfaces more than **50%** of the area of a parcel or lot, and

(5) Any activity that will disturb land with 15% or greater slope and where the land disturbance is greater than or equal to **15,000** square feet within the sloped area.

174.13.5, Section D. (4) to read:

(4) Normal maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling provided such maintenance does not include the addition of more than 400 cubic yards of soil material, or alteration of drainage patterns;

AMENDMENT VOTED UNANIMOUSLY.

MOTION MADE TO MOVE THE QUESTION.
REQUIRES 2/3 VOTE.
MOTION TO MOVE THE QUESTION CARRIES UNANIMOUSLY.

MOTION MADE WITH AMENDMENT ON ARTICLE 46: That the Town amend the Code of the Town of Southborough by inserting a new Section 174.13.5 – "Stormwater and Erosion Control" as follows:

174-13.5 STORMWATER and EROSION CONTROL

A. Purpose

Regulation of activities that result in the disturbance of land and the creation of stormwater runoff is necessary for the protection of the Town of Southborough to safeguard the health, safety, and welfare of the general public and protect the natural resources of the Town. The purpose of this Bylaw is to prevent or diminish these impacts by controlling runoff and preventing soil erosion and sedimentation resulting from site construction and development.

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the Bylaws of the federal Clean Water Act found at 40 CFR 122.34.

Nothing in this Bylaw is intended to replace the requirements of either the Town of Southborough Wetlands Protection Bylaw, or any other Bylaw that has been or may be adopted by the Town of Southborough. Any activity subject to the provisions of the above-cited Bylaws must comply with the specifications of each applicable bylaw.

The objectives of this Bylaw are to:

(1) Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of wetland and water resources;

(2) Require that new development, redevelopment and all land conversion activities maintain the after-development runoff characteristics as equal to or less than the pre-development runoff characteristics to provide recharge and to reduce flooding, stream bank erosion, siltation, nonpoint source pollution, property damage, and to maintain the integrity of stream channels and aquatic habitats;

(3) Establish minimum construction/alteration and post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality and for the protection of properties and aquatic resources downstream from land development and land conversion activities from damages due to increases in volume, velocity, frequency, duration, and peak flow rate of stormwater runoff;

(4) Establish design criteria for measures to minimize nonpoint source pollution from stormwater runoff which would otherwise degrade water quality;

(5) Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum construction/alteration and post-development stormwater management standards and to encourage the use of nonstructural stormwater management, stormwater site design practices or "low-impact development practices", such as reducing impervious cover and the preservation of open space and other natural areas, to the maximum extent practicable;

(6) Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety;

(7) Establish provisions to ensure there is an adequate funding mechanism, including surety, for the proper review, inspection and long-term maintenance of stormwater facilities implemented as part of this Bylaw; and

(8) Establish administrative procedures and fees for the submission, review, approval, or disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow up.

B. Definitions

AGRICULTURE - The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act (M.G.L. c. 131 §40) and its implementing regulations (310 CMR 10.00).

APPLICANT - Any "person" as defined below requesting a Stormwater and Erosion Control Permit for proposed land-disturbance activity.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

AUTHORIZED ENFORCEMENT AGENCY - The Conservation Commission (herinafter "the Commission") and its employees or agents or other employee of the Town of Southborough shall be in charge of enforcing the requirements of this bylaw.
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BETTER SITE DESIGN - Site design approaches and techniques that can reduce a site's impact on the watershed through the use of nonstructural stormwater management practices. Better site design includes conserving and protecting natural areas and green space, reducing impervious cover, and using natural features for stormwater management.
BEST MANAGEMENT PRACTICE (BMP) - Structural, non-structural, vegetative and managerial techniques that are recognized to be the most effective and practical means to reduce erosion and sediment, prevent or reduce increases in stormwater volumes and flows, reduce point source and nonpoint source pollution, and promote stormwater quality and protection of the environment. "Structural" BMPs are devices that are engineered and constructed to provide temporary storage and treatment of stormwater runoff. "Nonstructural" BMPs use natural measures to reduce pollution levels, do not require extensive construction efforts, and/or promote pollutant reduction by eliminating the pollutant source.
CONSTRUCTION AND WASTE MATERIALS - Excess or discarded building or construction site materials that may adversely impact water quality, including but not limited to concrete truck washout, chemicals, litter and sanitary waste.
DISTURBED AREA - An area, man-made or natural, where the existing condition has been or is proposed to be altered.
ENVIRONMENTAL SITE MONITOR - A Professional Engineer, or other trained professional selected by the Commission and retained by the holder of a Stormwater and Erosion Control Permit to periodically inspect the work and report to the Commission.
EROSION - A condition in which the earth's surface, including soil or rock fragment, is detached and moved away by the action of water, wind, ice, gravity or other natural means.
GENERAL STORMWATER MANAGEMENT PERMIT (GSMP) - A permit issued for an application that meets a set of pre-determined standards outlined in the Regulations to be adopted by the Commission under this Bylaw. By meeting these pre-determined standards, the proposed project will be presumed to meet the requirements and intent of this Bylaw.
HOTSPOT - Land uses or activities with higher potential pollutant loadings, such as auto salvage yards, auto fueling facilities, fleet storage yards, commercial parking lots with high intensity use, road salt storage areas, commercial nurseries and landscaping, outdoor storage and loading areas of hazardous substances, or marinas.
MASSACHUSETTS STORMWATER MANAGEMENT POLICY - The Policy issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act M.G.L. c. 131 §40 and Massachusetts Clean Waters Act M.G.L. c. 21, §23-56. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.
NEW DEVELOPMENT - Any construction or land disturbance of a parcel of land that is currently in a natural vegetated state and does not contain alteration by man-made activities.
PERSON - Any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to Town Bylaws, administrative agency, public or quasi-public corporation or body, the Town of Southborough, and any other legal entity, its legal representatives, agents, or assigns.
PRE-DEVELOPMENT - The conditions that exist at the time that plans for the land development of a tract of land are submitted to the Conservation Commission. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first plan submission shall establish pre-development conditions.
POST-DEVELOPMENT - The conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land. Post-development refers to the phase of a new development or redevelopment project after completion, and does not refer to the construction phase of a project.
RECHARGE - The replenishment of underground water reserves.
REDEVELOPMENT - Any construction, alteration, or improvement exceeding land disturbance of 5,000 square feet, where the existing land use is commercial, industrial, institutional, or multi-family residential.
RUNOFF - Rainfall, snowmelt, or irrigation water flowing over the ground surface.
SEDIMENT - Solid material, whether mineral or organic, that is in suspension, is transported or has been moved from its site of origin by erosion.
SEDIMENTATION - A process of depositing material that has been suspended and transported in water.
SLOPE - The vertical rise divided by the horizontal distance and expressed as a fraction or percentage,
STABILIZED - The elimination of any erosion.
STORMWATER MANAGEMENT HANDBOOK - Stormwater Management Handbook, Volume One and Volume Two, prepared by the Mass. Department of Environmental Protection and the Mass. Office of Coastal Zone Management dated March 1997 as the same may be from time to time revised.

STORMWATER MANAGEMENT PERMIT (SMP) - A permit issued by the Conservation Commission, after review of an application, plans, calculations, and other supporting documents, which is designed to protect the environment of the Town from the deleterious affects of uncontrolled and untreated stormwater runoff.

C. Applicability
This bylaw shall be applicable to all new development and redevelopment, including, but not limited to, site plan applications, subdivision applications, grading applications, land use conversion applications, any activity that will result in an increased amount of stormwater runoff or pollutants flowing from a parcel of land, or any activity that will alter the drainage characteristics of a parcel of land, unless exempt pursuant to Section D of this Bylaw. After **April 10, 2006** the Commission shall not approve any application for development or re-development if the land or parcels of land were held in common ownership (including ownership by related or jointly-controlled persons or entities) and were subdivided or otherwise modified to avoid compliance. A development shall not be segmented or phased in a manner to avoid compliance with this By-Law. A Stormwater and Erosion Control Permit shall be required from the

Commission for the following:

(1) Any activity subject to Major Site Plan Review (§ 174-10);
(2) Any activity that will result in soil disturbance of one acre or more, or more than **fifty percent (50%)** of the parcel or lot, whichever is less;
(3) Any residential development or redevelopment of five (5) or more acres of land proposed pursuant to "the Subdivision Control Law" G. L. c. 41 sec. 81K to 81GG inclusive, or proposed under a special permit process pursuant to G. L. c. 40A sec. 9;
(4) Any activity that will increase the amount of impervious surfaces more than **50%** of the area of a parcel or lot, and
(5) Any activity that will disturb land with 15% or greater slope and where the land disturbance is greater than or equal to **15,000** square feet within the sloped area.

D. Exemptions
The following activities are exempt from the requirements of this Bylaw:

(1) Normal maintenance of Town owned public land, ways and appurtenances;
(2) Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04 and MGL Chapter 40A Section 3;
(3) Repair or replacement of septic systems when approved by the Board of Health for the protection of public health;
(4) Normal maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling provided such maintenance does not include the addition of more than **400** cubic yards of soil material, or alteration of drainage patterns;
(5) The construction of fencing that will not alter existing terrain or drainage patterns;
(6) Construction and associated grading of a way that has been approved by the Planning Board;
(7) The maintenance, reconstruction or resurfacing of any public way; and the installation of drainage structures or utilities within or associated with public ways that have been approved by the appropriate authorities provided that written notice be filed with the Conservation Commission fourteen days (14) prior to commencement of activity;
(8) The removal of earth products undertaken in connection with an agricultural use if the removal is necessary for or directly related to planting, cultivating or harvesting or the raising or care of animals, or
(9) Activity in accordance with the terms of an existing Order of Conditions or Determination of Applicability issued by the Commission pursuant to M.GL Ch. 131, Section 40, or the Southborough Wetlands Protection Bylaw, Chapter 170 of the Code of the Town of Southborough.

E. Administration

(1) The Conservation Commission shall be the permit granting authority for the issuance of a Stormwater and Erosion Control Permit and shall administer, implement and enforce this Bylaw. Any powers granted to or duties imposed upon the Commission may be delegated in writing by the Commission to its employees or agents or other municipal employees as appropriate. Such permit applications shall be submitted, considered, and issued only in accordance with the provisions of this Bylaw and the regulations adopted pursuant to this Bylaw.
(2) Stormwater Regulations. The Commission shall adopt, and periodically amend, rules and regulations relating to the terms, conditions, definitions, enforcement, fees, procedures and administration of this Stormwater and Erosion Control Bylaw. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court shall not act to suspend or invalidate the effect of this Bylaw.
(3) Right of Entry. Filing an application for a Stormwater and Erosion Control Permit grants the Commission or its agent, permission to enter the site to verify the information in the application and to inspect for compliance with permit conditions.
(4) Stormwater Management Manual. The Commission will utilize the policy, criteria and information including specifications and standards of the latest edition of the Massachusetts Stormwater Management Policy, for execution of the provisions of this Bylaw. This Policy includes a list of acceptable stormwater treatment practices, including the specific design criteria for each stormwater practice. The Policy may be updated and expanded periodically, based on

improvements in engineering, science, monitoring, and local maintenance experience. Unless specifically altered in the Stormwater Regulations, stormwater management practices that are designed, constructed, and maintained in accordance with these design and sizing criteria will be presumed to be protective of Massachusetts's water quality standards.

(5) Application. To obtain approval for a project subject to the provisions of this Bylaw, the applicant shall submit a Stormwater Management and Erosion Control Plan and an Operation and Maintenance Plan prepared, stamped and signed by a professional engineer registered in Massachusetts, a Registered Land Surveyor, or a Massachusetts Licensed Soil Evaluator, as appropriate, that complies with the requirements set forth herein and in the regulations adopted pursuant to this Bylaw. The Operation and Maintenance plan (O&M Plan) shall be designed to ensure compliance with the Permit, this Bylaw, and that the Massachusetts Surface Water Quality Standards, 314, CMR 4.00 are met in all seasons and throughout the life of the system. The O&M Plan shall remain on file with the Commission, the Planning Board, the Department of Public Works and the Town Engineer and shall be an ongoing requirement. The O&M Plan shall meet the criteria set forth in the regulations adopted pursuant to this Bylaw. The Plans shall fully describe the project in drawings, narrative, and calculations.

  a. At the time of application, the applicant shall provide in writing the name and the 24 hours a day and 7 days a week contact information of the person who is responsible for erosion and sediment control for the site disturbing activity which is the subject of the application. Said person shall ensure that the approved activity takes place in accordance with the application, plan and permit requirements.

F. Fees

The Commission shall establish fees to cover expenses incurred by the town in reviewing the application and monitoring permit compliance. The Commission is authorized to retain and charge the applicant fees to cover the cost of hiring a Registered Professional Engineer or other professional consultant to advise the Commission on any or all aspects of the project. The applicant for a Stormwater and Erosion Control Permit may be required to establish and maintain an escrow account to cover the costs of said consultants. Applicants shall pay review fees to the Commission before the review process may begin.

G. Surety

The Commission may require a cash performance guaranty to ensure compliance with these requirements and for the long term operation and maintenance of all permanent erosion control and stormwater management measures. The form of the bond shall be approved by the Commission upon the recommendation of Town Counsel and the Town Treasurer, as appropriate. With the approval of the Commission upon the recommendation of Town Counsel and the Town Treasurer, as appropriate, the applicant may substitute an irrevocable letter of credit or performance bond in lieu of the cash performance guaranty. Any performance bond or letter of credit shall be executed and maintained by a financial institution, surety, or Guaranty Company qualified to do business in the Commonwealth of Massachusetts.

H. Waivers

(1) The Commission may waive strict compliance with some of the requirements of this Bylaw or the rules and regulations promulgated hereunder, if it determines that some of the application requirements are unnecessary because of the size or character of the development project or because of the natural conditions at the site and where such action:
  (b) is allowed by federal, state and local statutes and/or regulations,
  (c) is in the public interest, and
  (d) is not inconsistent with the purpose and intent of this bylaw.

(2) Any request from an Applicant for a waiver of these rules shall be submitted, in writing, to the Commission at the time of submission of the application. Such requests shall clearly identify the provision/s of the rule from which relief is sought and be accompanied by a statement setting forth the reasons why, in the applicant's opinion, the granting of such a waiver would be in the public interest or the specific information required to show strict compliance is irrelevant to the project, and why a waiver would be consistent with the intent and purpose of this Bylaw and the rules and regulations promulgated hereunder.

I. Findings and Conditions of Approval

(1) The Commission shall not approve any application for a Stormwater and Erosion Control Permit unless it finds that BMPs will be employed to meet the following requirements:
  (a) Compliance with all applicable federal, state and local regulations and guidelines, including but not limited to the Stormwater Management Handbook as it may be amended, has been demonstrated;
  (b) Measures shall be employed to minimize adverse impacts on wildlife habitats and corridors, natural or historic landscape features, and scenic vistas and views;
  (c) The duration of exposure of disturbed areas due to removal of vegetation, soil removal, and/or re-grading shall be set forth in a written time table and approved by the Commission;
  (d) There shall be no net increase in the rate of stormwater runoff from the site;
  (e) There shall be no net increase in the volume of stormwater runoff across the boundaries of the site unless provisions have been made to tie into the public storm drains, where available, with the approval of the appropriate parties or authorities or, the Commission has determined that all reasonable provisions have been made to minimize any changes in stormwater runoff at the site;

- (f) There shall be no adverse impacts to abutting properties from any increase in volume of stormwater runoff including erosion, silting, flooding, sedimentation or impacts to wetlands, ground water levels or wells;
- (g) Where the site is not proposed to be covered with gravel, hardscape, or a building or structure, a planting plan to ensure permanent re-vegetation of the site has been approved;
- (h) Areas to be planted shall be loamed with not less than six inches (6") compacted depth of good quality loam and seeded with turf grass seed or other appropriate ground cover in accordance with good planting practice;
- (i) Dust control shall be used during grading operations if the grading is to occur within five hundred (500') feet of an occupied residence or place of business, school, playground, park, cemetery, or place of worship;
- (j) During construction, temporary erosion and sedimentation control measures will be employed in accordance with the approved plan;
- (k) During construction, any site access from a paved public way shall be improved with a gravel apron of fifteen feet (15') wide and at least twenty-four feet (24') long to prevent unstable material from being transported onto the street by vehicle tires or by runoff;
- (l) Until a disturbed area is permanently stabilized, sediment in runoff water shall be trapped by using a siltation barrier, siltation fences, and/or sedimentation traps;
- (m) Dust control shall be used during grading operations if the grading is to occur within five hundred (500) feet of the property line of an occupied residence or place of business. Dust control methods may consist of grading fine soils on calm days only or dampening the ground with water;
- (n) Permanent erosion control and vegetative measures shall be in accordance with the approved plan, and
- (o) Where applicable, homeowner's, facility or condominium documents shall provide for the long term operation and maintenance of all permanent erosion control and stormwater management measures, including surety.

(2) Based upon the nature of the application the Commission may impose reasonable requirements or limitations to minimize the impacts, if any, on abutting properties or uses.

(3) Prior to commencement of any land disturbing activity, the applicant shall record the permit with the Registry of Deeds or Registry District of the Land Court, and shall submit to the Commission written proof of such recording.

(4) At completion of the project, the owner shall submit as-built record drawings of all structural stormwater controls and treatment best management practices required for the site. The as-built drawing shall show deviations from the approved plans, if any, and shall be certified by a professional engineer registered in Massachusetts.

J. Actions by the Commission

(1) The Commission shall act on each application for a permit within ninety (90) days of the date of filing with the Commission and the Town Clerk, unless such application has been withdrawn from consideration.

(2) The Commission may take any of the following actions as a result of an application for a Stormwater Management and Erosion Control Permit as more specifically defined as part of Stormwater Regulations promulgated as a result of this Bylaw: Approval, Approval with Conditions, Disapproval, or Disapproval without Prejudice.

(3) A Stormwater and Erosion Control Permit may be disapproved if the Commission determines:
  - (a) The requirements of this Bylaw are not met, or
  - (b) The intent of the application is to circumvent other provisions of the Town's Zoning Code and regulations.

(4) Appeals of Action by the Commission. A decision of the Commission shall be final. Relief of a decision by the Commission made under this Bylaw shall be reviewable by the Zoning Board of Appeals provided that such appeal is filed within ten (10) business days of the date the decision was filed with the Town Clerk. The remedies listed in this Bylaw are not exclusive of any other remedies available under any applicable federal, state or local law.

K. Enforcement

The Commission or its authorized agent and the Town of Southborough shall have the power and duty to enforce this bylaw, its regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

(1) Penalties. Any person who violates any provision of this Bylaw, regulation, or permit issued hereunder, shall be subject to fines, civil action, criminal prosecution, and tax liens, as appropriate and as lawfully established by the Town of Southborough.

(2) Tax Liens. The Town of Southborough shall require the repayment of services provided to the responsible party that the responsible party was obligated to perform as set forth in the Operation and Maintenance Plan. If repayment is not made within thirty (30) days, the Town may impose a tax lien on the property of the responsible party or parties.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

(3) Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the town may utilize the non-criminal disposition procedure set forth in M.G.L. c. 40, §21D in which case the Conservation Administrator, Conservation Agent or other authorized agent of the town shall be the enforcing person. If non-criminal disposition is used, any person who violates any provision of this by-law, regulation, order or permit issued thereunder, shall be punished by a fine of an amount up to an including $300.00 per violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. *Sept.14, 2006 Attorney General's Office stated "in the absence of a specific penalty, the non-criminal disposition option is not available to the town to enforce Chapter 225." Therefore eliminated the words "If a non-criminal disposition is used, any person who violates any provision of this bylaw, regulation, order or permit issued thereunder, shall be punished by a fine of an amount up to and including $300.00 per violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense."*

L. Severability
Any determination that a particular provision or set of provisions in this Bylaw are invalid or unenforceable shall not render ineffective, unenforceable, or inapplicable the remainder of this Bylaw.

MOTION WITH AMENDMENT PASSED UNANIMOUSLY.

Approved by the Attorney General on September 14, 2006.

ARTICLE 48: To see if the Town will vote to appropriate $99,976 from the CPA Housing Reserve Fund, as requested by the Southborough Housing Opportunity Partnership Committee, for the construction of affordable housing at 26 Gilmore Road. The funds will be used in conjunction with the Southborough Affordable Housing Trust Fund, whose purpose is the creation and preservation of affordable housing in the Town of Southborough for the benefit of low and moderate income households, or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: That the Town appropriate $99,976 from the CPA Housing Reserve Fund, as requested by the Southborough Housing Opportunity Partnership Committee, for the construction of affordable housing at 26 Gilmore Road. The funds will be used in conjunction with the Southborough Affordable Housing Trust Fund, whose purpose is the creation and preservation of affordable housing in the Town of Southborough for the benefit of low and moderate income households.
MOTION VOTED UNANIMOUSLY.

ARTICLE 49: To see if the Town will vote to appropriate $10,274 from the CPA Historical Fund, as requested by the Southborough Historical Society for:

- Preservation of Historical Society Documents
- Purchase of a secure, fireproof and environmentally controlled safe to be located in the Historical Society Museum
- Purchase of a custom lockable exhibit case with UV protective glass to be located in the Southborough Library, to display Historical Documents

, or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: That the Town appropriate $10,274 from the CPA Historical Fund, as requested by the Southborough Historical Society for:

- Preservation of Historical Society Documents
- Purchase of a secure, fireproof and environmentally controlled safe to be located in the Historical Society Museum
- Purchase of a custom lockable exhibit case with UV protective glass to be located in the Southborough Library, to display Historical Documents.

MOTION VOTED UNANIMOUSLY.

ARTICLE 50: To see if the Town will vote to appropriate $30,000 from CPA Available Unreserved Funds, as requested by the Southborough Stewardship Committee, for the restoration of the Breakneck Hill Conservation Land, or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: That the Town appropriate $30,000 from CPA Available Unreserved Funds, as requested by the Southborough Stewardship Committee, for the restoration of the Breakneck Hill Conservation Land.
MOTION VOTED UNANIMOUSLY.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

ARTICLE 51: To see if the Town will vote to appropriate $88,725 from CPA Available Unreserved Funds as requested by the Southborough Recreation Commission for the restoration of the ChoateField stone wall to be compatible with the adjacent proposed Community House stone wall as part of roadway improvements. (Proposed by the Community Preservation Committee)

MOTION MADE: To Postpone Indefinitely.
MOTION VOTED UNANIMOUSLY.

ARTICLE 52: To see if the Town will vote to act upon the recommendations of the Community Preservation Committee and to set aside for later expenditure, certain sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the Massachusetts General Laws, as follows, or take any other action relative thereto:

Estimated Surcharge Receipts (based on FY06 revenue):	$213,850.86
State Match	$213,850.86
Total Revenue	$427,701.72

Set Aside- Open Space
$42,770.17 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for acquisition, creation or preservation of open space, and for the rehabilitation and/or restoration of open space acquired under the Community Preservation Act.

Set Aside – Historic Preservation
$42,770.17 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for the acquisition, preservation, rehabilitation and/or restoration of historic resources.

Set Aside – Community Housing
$42,770.17 to be set aside, held in the Community Preservation Fund, and spent in FY2006 or later years for the creation, preservation and support of community housing, and for the rehabilitation and/or restoration of community housing acquired under the Community PreservationAct.

Administrative Costs – Community Preservation Committee
$21,385.09 to defray the administrative and operating expenses of the Community Preservation Committee.

Reserved for Community Preservation Fund(discretionary) $278,006.12
, or do or act anything in relation thereto. (Proposed by the Community Preservation Committee)

MOTION MADE: That the Town accept the recommendations of the Community Preservation Committee and to set aside for later expenditure, certain sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the Massachusetts General Laws, as printed in the Warrant.
MOTION VOTED UNANIMOUSLY.

ARTICLE 53: To see if the Town will vote, pursuant to the authority of Massachusetts General Laws Chapter 41, Section 45, to establish a Board of Commissioners of Trust Funds by inserting a new Article into the Code of the Town of Southborough entitled: Article IV Commissioners of Trust Funds within chapter 9 thereof. Said Article IV shall specify as follows:

Section 9-16 Appointment; Membership; Terms.

At the time of creating said Board there shall be elected one member for one year, one member for two years, and one member for three years; and there shall be elected annually thereafter one member for three years. Vacancies shall be filled by the Board of Selectmen.

Section 9-17 Powers and Duties.

Said Commissioners shall have and exercise the powers and duties conferred by Chapter 41, Section 45 of the General Laws of Massachusetts,
,or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town will vote, pursuant to the authority of Massachusetts General Laws Chapter 41, Section 45, to establish a Board of Commissioners of Trust Funds by inserting a new Article into the Code of the Town of Southborough entitled: Article IV Commissioners of Trust Funds within chapter 9 thereof. Said Article IV shall specify as follows:

Section 9-16 Appointment; Membership; Terms.

At the time of creating said Board there shall be elected one member for one year, one member for two years, and one member for three years; and there shall be elected annually thereafter one member for three years. Vacancies shall be filled by the Board of Selectmen.

Section 9-17 Powers and Duties.

Said Commissioners shall have and exercise the powers and duties conferred by Chapter 41, Section 45 of the General Laws of Massachusetts,
MOTION PASSED UNANIMOUSLY.

ANNUAL TOWN MEETING Adjourned Session April 11, 2006

ARTICLE 54: To see if the Town will vote to establish and authorize the use of a revolving fund account pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½ for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund, or do or act anything in relation thereto. (Proposed by the Board of Selectmen)

MOTION MADE: That the Town will vote to establish and authorize the use of a revolving fund account pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½ for the purpose of funding the inspection services for the Sealer of Weights and Measures, plumbing and wiring. All receipts received for the services provided by the above-mentioned departments shall be credited to this account up to the amount of $60,000. The Town Accountant will authorize expenditures from this revolving fund **MOTION VOTED UNANIMOUSLY**.

MOTION MADE: To dissolve Annual Town Meeting at 11:44pm PASSED UNANIMOUSLY.

True Copy Attest:

____

Paul J. Berry, Town Clerk

Town of Southborough
SPECIAL TOWN MEETING
Monday, November 27, 2006

At the Special Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, MA on Monday, November 27, 2006 at 7:00pm the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 151 voters were checked in.

Checkers:

Brenda Gaffney	**Lidia A. Kiley**
Janet M.E. Mattioli	**Linda C. Hubley**
Lois W. Denman	**Josephine Shea**

The following Tellers were appointed by Moderator John Wilson and sworn-in by Town Clerk, Paul J. Berry:

Howard D. Anderson, Jr.	**John F. Reilly**
Timothe Litt	**Theodore James Hill**
Kathryn M. Cook	**Brian Edward Shea**

The Town Moderator, John H. Wilson, called the meeting to order at 8:05pm.

John Wilson expressed the fact that we all notice an empty chair on the Advisory Committee; Charlie Millett passed away 2 weeks ago. He said Charlie volunteered to serve the Town of Southborough many years to help make this a better place. We would like to express our deepest condolences to his wife, Barbara and their children.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Special Town Meeting by the Constable.

Moderator moves to dispense with the reading of the warrant.
Motion made to dispense with the reading of the warrant.
MOTION MADE: To waive the reading of the entire Warrant.
MOTION PASSED UNANIMOUSLY.

At this time Moderator Wilson introduced Jean Kitchen, our new Town Administrator with "a thousand welcomes." Jean comes from the Town of Groton.

Moderator Wilson had requests from the following non-voters to attend the SPECIAL Town Meeting. There being no objections from the floor, it was voted to allow the above non-voters to remain:

Brian Ballantine, Treasurer/Collector
Charlie Breitrose, METROWEST DAILY NEWS
Basilio Diaz, Facilities Manager
Karen Galligan, Interim DPW Superintendent
Vanessa D. Hale, Assistant Town Administrator
Peter Johnson, Building Inspector
Rosemary Joseph, Superintendent of Schools
Kathleen Keenan, Library Director
Jean Kitchen, Town Administrator
Vera L. Kolias, Town Planner
John D. Mauro, Jr., Fire Chief
Dawn E. Michanowicz, Assistant Town Clerk
Carolyn Kessel Stewart, GLOBE WEST
Antonetta Linnosto

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area.

Two short presentations we made by the Board of Selectmen and the Advisory Committee regarding the purpose for this Special Town Meeting.

ARTICLE 1: To see if the Town will vote to transfer from free cash the sum of $1,315,000 to balance the FY07 budget, or do or act anything in relation thereto.
Sponsored by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 6 Support
Summary: *The Department of Revenue has requested that the Town revote its use of free cash to balance the FY07 budget. When the FY07 budget was voted in April, it was hoped that free cash would be certified by the end of June. Since free cash was not certified until this fall, the Town needs to revote use of these funds.*

MOTION MADE: that the Town vote to transfer from free cash the sum of $1,315,000 to balance the FY07 budget.
MOTION PASSED UNANIMOUSLY.

Town of Southborough
SPECIAL TOWN MEETING
Monday, November 27, 2006

ARTICLE 2: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate $33,187 for a vocational out of district tuition and transportation as required under Massachusetts General Law Chapter 74, Section 7C, or do or act anything in relation thereto.
Sponsored by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: Support
Summary: *Massachusetts General Law requires that a Town fund the tuition and transportation costs for vocational programs not offered within the public school system or within the vocational school in which the Town is a member. The application for approval must be received within the prescribed time-frame. In this case the application was made and approved in the prescribed time. The cost is $17,527 for tuition and $15,660 for transportation. Transportation costs will be reimbursed to the Town from the state in the year following payment.*

MOTION MADE: that the Town vote to transfer from STABILIZATION fund $33,187 for a vocational out of district tuition and transportation as required under Massachusetts General Law Chapter 74, Section 7C.
REQUIRES 2/3 VOTE
MOTION CARRIES: 29 Yes 1 No

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate a sum of money to demolish structures located at 65 Southville Road for public safety and welfare purposes, or do or act anything in relation thereto.
Sponsored by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support up to $15,000
Advisory Committee Recommendation: 4 Support up to $15,000; 1 Abstention
Summary: *The property located at 65 Southville Road, which is currently in tax title, has a building on the property that has deteriorated over a number of years and is uninhabited and open to the weather. This article would appropriate the funds to demolish the building. The cost of demolishing the building would become part of a tax lien on the property. This article may be indefinitely postponed.*

MOTION MADE: that the Town vote to transfer from STABILIZATION fund $20,000 to demolish structures located at 65 Southville Road for public safety and welfare purposes.
REQUIRES 2/3 VOTE
MOTION PASSED UNANIMOUSLY.

ARTICLE 4: To see if the Town will vote to transfer the proceeds of $155,000 from the sale of Real Property located at 1 Cordaville Road, to the Stabilization Fund, or do or act anything in relation thereto.

Sponsored by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 5 Support
Summary: *The Town purchased 1 Cordaville Road with funds from the stabilization fund. Upon the sale of the property the proceeds were to be returned to the stabilization fund, which this article accomplishes.*

MOTION MADE: that the Town will vote to transfer the proceeds of $155,000 from the sale of Real Property located at 1 Cordaville Road, to the Stabilization Fund.
REQUIRES MAJORITY VOTE.
MOTION PASSED UNANIMOUSLY.

ARTICLE 5: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate $65,000 to upgrade the police radio communications system, and authorize the Board of Selectmen to do or act anything in relation thereto.
Sponsored by: POLICE DEPARTMENT
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 5 support
Summary: $65,000. *This article seeks to upgrade the police communication system to address re-occurring police communication issues. Poor/sporadic communications presently exists between cruiser to cruiser and cruiser to station reception. These sporadic communications known as "dead spots" in the northeast and southeast sections of town affect 115 homes and the police officers responding to an emergency in this area.*

MOTION MADE: that the Town vote to transfer from STABILIZATION fund $65,000 to upgrade the police radio communications system.
REQUIRES 2/3 VOTE
MOTION PASSED UNANIMOUSLY.

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate $4,100.00 to the following FY07 budget line items: $4,100.00 to Board of Selectmen, Personal Services ,or do or act anything in relation thereto.
Sponsored by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 4 Support; 2 abstention
Summary: *The Assistant Town Administrator was recently upgraded and this article will fund the upgrade.*

MOTION MADE: that the Town vote to transfer from STABILIZATION fund $4,100 to the FY07 budget line item Board of Selectmen Personal Services.
REQUIRES 2/3 VOTE
MOTION PASSED UNANIMOUSLY.

ARTICLE 7: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate $44,000 to replace the pneumatic control system at the Library, or do or act anything in relation thereto.
Sponsored by: LIBRARY TRUSTEES AND FACILITIES DEPARTMENT
Board of Selectmen Recommendation: At Town Meeting
Advisory Committee Recommendation:
Summary: *$44,000 for replacement of the pneumatic control system that handles the heating, ventilating and air conditioning for the building. The air lines in the system were filled with oil from the pneumatic air compressor damaging many of the contacts, thermostats and controls. The Town has submitted an insurance claim for this damage.*

MOTION MADE: TO INDEFINITELY POSTPONE this article.
MOTION PASSED UNANIMOUSLY.

ARTICLE 8: To see if the Town will vote to transfer from free cash a sum of money, to the stabilization fund, or do or act anything in relation thereto.
Sponsored by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: At Town Meeting
Advisory Committee Recommendation:
Summary: *Currently there is $1,888,590 in the stabilization fund.*

MOTION MADE: TO INDEFINITELY POSTPONE this article.
MOTION PASSED UNANIMOUSLY.

ARTICLE 9: To see if the Town will vote to establish and authorize the use of a revolving fund account pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53½, as amended, for the purpose of allowing the Board of Health to apply fees received from insurance and Medicare, to pay expenses and contractual services required to operate immunization/emergency dispensing clinics for qualified Southborough residents, or do or act anything in relation thereto.
Sponsored by: BOARD OF HEALTH
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 5 Support
Summary: *This article would allow the Board of Health to use insurance and Medicare payments to operate their annual flu clinic, and to plan/prepare for emergency dispensing sites/clinics; to purchase any clinic supplies and to pay for any extra nursing help which could be needed in a pandemic situation. If this article passes it will allow the Board of Health to remove this item from the budget, therefore saving taxpayers from having to fund a clinic and dispensing site expenses.*

MOTION MADE: that the Town vote to establish and authorize the use of a revolving fund account pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53½, as amended, for the purpose of allowing the Board of Health to apply fees received from insurance and Medicare, to pay expenses and contractual services required to operate immunization/emergency dispensing clinics for qualified Southborough residents.
MOTION PASSED UNANIMOUSLY.

ARTICLE 10: To see if the Town will vote to accept an open space parcel, approximately 7.57± acres, as shown on a plan of land entitled "Definitive Flexible Subdivision Plan of 'Killam Farm' Plan of Land in Southborough, Massachusetts by Sullivan, Connors & Associates Dated November 11, 1998, revised March 15, 1999" and recorded with the Worcester District Registry of Deeds in Plan Book 739, Plan 64 together with perpetual rights and easements in and over those portions of Lots 6 & 7 as shown on a plan of land entitled "A Plan of Land in Southborough, Massachusetts Owners: Albert E. & Helen O. Killam 43 Richards Road Southborough, MA 01772 and George F. Killam 62 Richards Road, Southborough, MA 01772 by Sullivan, Connors & Associates dated November 30, 1998", and recorded with the Worcester District Registry of Deeds in Plan Book 738, Plan 111 as a 12 foot wide right of way easement, or do or act anything in relation thereto.

Sponsored by: PLANNING BOARD
Board of Selectmen Recommendation: No position
Advisory Committee Recommendation: 6 Support
Summary: *Per both the Definitive Subdivision and Special Permit approvals dated February 23, 1999, this 7.57 ± acres of open space is to be deeded to the Town as permanent open space. The warrant article is the final step in Town acceptance and ownership of the open space.*

MOTION MADE: TO INDEFINITELY POSTPONE this article.
MOTION PASSED UNANIMOUSLY.

ARTICLE 11: To see if the Town will vote to accept, for all boards, committees or commissions holding adjudicatory hearings in the Town, the provisions of Massachusetts General Laws, Chapter 39, §23D, or do or act in anything in relation thereto.

Sponsored by: PLANNING BOARD
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 6 Support
Summary: *This article, if accepted, would provide that a member of a board, committee, or commission holding an adjudicatory hearing would not be disqualified from voting in the matter solely due to the member's absence from one session of such hearing, providing that certain conditions as set forth in the statute are met.*

MOTION MADE: that the Town vote to accept, for all boards, committees or commissions holding adjudicatory hearings in the Town, the provisions of Massachusetts General Laws, Chapter 39, §23D.
MOTION PASSED UNANIMOUSLY.

MOTION MADE: to dissolve Special Town Meeting at 9:02pm
MOTION PASSED UNANIMOUSLY.

A True Copy
Attest:__________________________
Paul J. Berry, Town Clerk

ANNUAL TOWN MEETING
April 9, 2007

At the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, on Monday, April 9, 2007 at 7:00PM the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 396 voters were present.

Checkers:

Brenda Gaffney
Janet M.E. Mattioli
Lois W. Denman
Lidia A. Kiley
Linda C. Hubley
Delia Mulvaney

The following were appointed by Moderator John H. Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:

William H. Webber
Dale Veeneman
Thomas Conlin
Donna McDaniel
Jack Kessler
Paul Gaffney

The Town Moderator, John H. Wilson, called the meeting to order at 7:27pm.

The Colors were presented by 4 Junior Girl Scout Troops from Southborough:

Troop 2779, Martha Sullivan and Mary Mathon, Leaders:
Leah Jessiman
Sarah Leonard
Cecelia Mathon
Allison Sheehan
Annie Sullivan
Kelly Wendt

Troop 7097, Shelagh Ellman-Pearl and Janice Hunt, Leaders
Rebecca Handford
Thea Hickey
Rachel Hunt
Molly Mead
Lily Pearl

Troop 2772, Amy Johnson and Cathy Coffman, Leaders:
Emily Coffman
Sarah Crothers
Rachel Crowley
Abbie Haskell
Cerena Johnson
Jackie Kimball
Madeline Partridge
Ciara Rea
Carolyn Sacco

Troop 2784, Lori Marcoulier, Leader
Sarah Marcoulier
Sarah McAndrews
Erin Nicholson

A moment of silence was held in memory of those persons who have served the Town in the past :

Irene R. Baldelli, Election Worker
Leo Bertonazzi, Sr., Cemetery Superintendent, Call Firefighter, Police Officer, Designer of the Southborough Town Flag
Gladys R. Binder, Secretary, Tax Collector's Office, Election Worker
Douglas Curtiss, Caretaker of Town Grounds
Delia Davis, Seventh Grade Teacher
James Higgiston, Principal Peters High School, Principal Algonquin Regional High School, Library Trustee
Charles W. Millett, Capital Budget Planning Committee, Advisory Committee
Robert R. Nelson, Caretaker for Colonial Gardens
Joseph Noberini, Cemetery Division Employee, Call Firefighter, Police Officer
Frances Rabeni, Assistant to Town Clerk, School Secretary Woodward Middle School

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson noted the receipt of the return of the posting of the Warrant for the Annual Town Meeting by the Constable.

Moderator Wilson made an announcement that the following residents have served the Town and are retiring:

Dorothy M. Phaneuf	Town Accountant served 28 years
Elaine F. O'Brien	Assistant Town Accountant served 17 years
Christopher Crowley	Recreation Commission served 17 years
Paul C. Pisinski	Director of Board of Health served 14 years

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting. There being no objections from the floor, it was voted to allow the above non-voters to remain:

- Brian Ballantine, Finance Director
- Paul T. Cibelli, Principal Assessor
- Basilio Diaz, Facilities Manager
- Doreen Ferguson, Director of Recreation
- Karen Galligan, Superintendent DPW
- Vanessa D. Hale, Assistant Town Administrator
- Kimberly Ivers, Library Director
- Peter Johnson, Building Inspector
- Vera L. Kolias, Town Planner
- Pam LeFrancois, Senior Center Director
- John D. Mauro, Jr., Fire Chief
- Dawn E. Michanowicz, Assistant Town Clerk
- Paul C. Pisinski, Public Health Director
- Beth Rosenblum, Conservation Administrator
- Laurie Sugarman-Whittier, Director of Youth and Family Services
- Charles Gobron, Director of Curriculum/Instruction
- Jamie Clark, Technical Support for Trottier School
- Cheryl Levesque, Director of Business Superintendent's Office
- Shirley Lundberg, member Regional School Committee
- Susan Sartori, Member Regional School Committee
- Charles Breitrose, MetroWest Daily News reporter
- Jean Bean, Director of Student Support Services
- Walter McKenzie, Director of Technology for Schools

MOTION MADE: To waive the reading of the entire Warrant.

MOTION PASSED UNANIMOUSLY.

ARTICLE 1: To hear reports of the various Town Officers and Committees and to take such action theron as the Town may vote.
Proposed by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 7 Support
Summary: To hear reports of Town Boards, Committees or Commissions.

MOTION MADE: to hear reports of the various Town Officers and Committees and to take such action thereon as the Town may vote.

MOTION PASSED UNANIMOUSLY.

Reports were heard from: Advisory Committee, Town Governance Study Committee, Master Plan Steering Committee and Municipal Facilities Committee.

ARTICLE 2: To see if the Town will vote to accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, and any other contributor and deposit same amount in Estimated Receipts Accounts, and determine what disposition shall be made of the same, if accepted, or do or act anything in relation thereto.
Proposed by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 7 Support
Summary: To allow the Board of Selectmen to accept donations from Tax Exempt organizations and determine the disposition of funds.

MOTION MADE: that the Town accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, Chapel of the Cross, Department of Conservation and Recreation and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted.

MOTION PASSED UNANIMOUSLY.

ARTICLE 3: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2007 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17 as amended, or do or act anything in relation thereto.
Proposed by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 7 Support
Summary: This article allows the Town Treasurer to short term borrow in anticipation of revenue.

MOTION MADE: that the Town authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2007 in accordance with the provisions of General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17 as amended.

MOTION PASSED UNANIMOUSLY.

ARTICLE 4: To hear the report of the Capital Budget Planning Committee, or do or act anything in relation thereto.
Proposed by: CAPITAL BUDGET PLANNING COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 7 Support
Summary: The Capital Budget Planning Committee will present its Capital Plan.

MOTION MADE: that the Town hear the report of the Capital Budget Planning Committee.

MOTION PASSED UNANIMOUSLY.

ARTICLE 5: To see if the Town will vote to delete the Personnel Salary Administration Plan, as specified in Chapter 31 of the Code of the Town of Southborough, entitled: PERSONNEL, and insert in its place the following:

SALARY ADMINISTRATION PLAN AND PERSONNEL BY-LAWS OF THE TOWN OF SOUTHBOROUGH

This by-law establishes a Salary Administration Plan for the Town of Southborough that (i) groups position classifications in Town services, (ii) establishes salary schedules and employee benefits and (iii) establishes and authorizes the Personnel Board to administer the by-law and to represent the interest of both the taxpayers and the Town employees.

This Salary Administration Plan applies to the positions of all officers and employees in the service of the Town, whether full-time, part-time, temporary, seasonal, special or any other, except those positions filled by popular election, under the direction and control of the School Committee, or encompassed in any officially recognized labor union and/or association. The positions covered by this Salary Administration Plan are hereby classified by titles in the groups listed in Schedule A ("Classification Schedule") as set forth in Section 20 of this by-law.

The classification of positions subject to the Massachusetts Welfare Compensation Plan (as amended) and the scheduled rates therefore, as well as the applicable provisions of the Massachusetts General Laws relating to the application of rates set forth in the aforementioned Welfare Compensation Plan are hereby incorporated by reference.

SECTION 1. DEFINITIONS

As used in this by-law, the following words and phrases shall have the following meanings:

"Administrative Authority" means the elected or appointed official or board having jurisdiction over a function or activity.

"Anniversary Date" means the date 180 days after (i) the first day of employment or (ii) the date of any promotion, whichever is later.

"Base Pay" means the compensation paid by the Town of Southborough for the purposes of determining retirement credits and contributions for Town employees.

The Town shall contribute funds as required for each eligible employee in accordance with the procedures and formula established by the Worcester Regional Retirement System and the by-laws of the Town of Southborough. Contributions shall include (i) wages earned during the first eight hours worked in any one day (no contributions shall be made for hours worked in excess of 40 per week), (ii) any lump sum bonus that is guaranteed by the Salary Administration Plan, the By-Laws of the Town, or any collective bargaining agreement in force (e.g., longevity pay); (iii) vacation pay, except when paid in lieu of taking vacation; (iv) sick pay; and (v) holiday pay.

"Class" means a group of positions in the Town service sufficiently similar with respect to duties and responsibilities such that for each position the same (i) descriptive title may be used, (ii) qualifications shall be required, (iii) tests of fitness may be used to choose qualified employees and (iv) scale of compensation can be equitably applied.
"Classification Schedule" means any of Schedules A, B, C, D, E and F of Section 20 hereof.

"Compensation Grade" means a range of salary/wage rates as may appear in the Classification Schedules.

"Continuous Full-Time Service" means employment requiring a predetermined minimum work period that is uninterrupted except for authorized leaves (e.g., vacation, sick, etc.).

"Continuous Employment" means full-time or part-time employment that is uninterrupted except for authorized leaves (e.g., vacation, sick, etc.).

"Department" means a functional unit of Town government.

"Department Head" means the person appointed and responsible to carry out the duties of a Department.

"Full-Time Employment" means employment for not less than 20 hours per week for fifty-two weeks per annum, excepting authorized holidays and leave periods.

"Group" means a group of classes as may appear in the Classification Schedules.

"Maximum Rate" means the highest compensation rate to which an Employee is entitled.

"Minimum Rate" means the lowest rate in a Range, and is normally the hiring rate of a new employee.

"Part-Time Employment" means employment for less than Full-Time Employment.

"Position" means an office or post of employment in the Town service with duties and responsibilities calling for the Full-Time or Part-Time Employment of one person in the performance and exercise thereof (or of more than one person sharing the same position).

"Position Class" means the same as **"Class"** (note that a class may include only one position, in which event it is defined as a "single position class").

"Promotion" means a change from one position to another position in a higher class and/or compensation grade.

"Range" means the difference between minimum and maximum rates of an assigned grade.

"Rate" means the measure of compensation for personal services on an hourly, weekly, monthly, annual or other basis.

"Salary Administration Plan" means this Salary Administration Plan and Personnel By-Laws of the Town of Southborough.

"Single Rate" means a rate for a specific position class that is not in a designated range.

"Step Rate" means a rate in a Range of compensation grade.

SECTION 2. POSITION TITLES

No person shall be appointed, employed or paid in any Position under any title other than those of the Classification Schedule for which the duties are actually performed. The Position title in the Classification Schedule shall be the official title for all purposes, including payrolls, budgeting and official reports.

SECTION 3. NEW OR CHANGED POSITIONS

No new position shall be established, nor the duties of an existing position so changed that a new level or work demand exists, unless upon presentation of substantiating data satisfactory to the Personnel Board, the Board shall rate such new or changed position, and allocate it to its appropriate classification grade and establish the rate change therefore.

SECTION 4. RECLASSIFICATION OF EMPLOYEES

No position may be reclassified to another grade, whether higher or lower, unless the Personnel Board shall have determined such reclassification is consistent with this Salary Administration Plan.

SECTION 5. JOB DESCRIPTIONS AND INTERPRETATIONS

The Personnel Board shall maintain written job descriptions of the position classes in the Classification Schedule, each consisting of a statement describing the essential nature of the work required of such classes. Each Department Head shall be required to retain current job descriptions and to submit any revisions to the Personnel Board (following any review by the Board of Selectmen or their designated appointee or the appropriate Commissioners or Trustees). The description for any class shall not be deemed to limit the duties or responsibilities of any position, nor to affect in any way the power of any administrative authority to appoint, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

SECTION 6. COMPENSATION

a. The weekly pay period shall begin at 12:01 a.m. Thursday and shall end at 12:00 a.m. the following Wednesday.

b. Non-exempt employees subject to this Salary Administration Plan shall be paid for one and one-half hours worked for any hour worked in the excess of forty in their normal pay period, provided such extra hours were authorized by the Department Head.

c. The salary schedules set forth in Schedules A, B, C, D, E and F of Section 20 hereof reflect the maximum and minimum salaries for each grade.

d. Amounts paid to employees in reimbursement for expenses incurred in the performance of their duties (e.g., mileage, meals, dues, etc.) shall be paid in addition to their compensation. Reimbursement shall be based upon the actual documented expenditure made by the employee, or at rates established by the Internal Revenue Service, supported by that agency's requirements for documentation.

SECTION 7. ADJUSTMENT POLICIES

a. Every employee that is in Continuous Full-Time Service of the Town, as computed from the date of their latest employment, shall be eligible annually for consideration of a merit increase advance to the next higher step rate, one year from the date of his/her latest increase. Except as may be authorized by the Personnel Board in exceptional circumstances, such increase is not to exceed one step rate in any single twelve-month period until the maximum of the grade is obtained, and such one-step increase shall be subject to the approval of the Department Head, the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees. Upon receiving such approvals, the Personnel Board shall have final review and approval of all adjustments, in advance. An evaluation of the employee's performance, in format approved by the Personnel Board, must accompany a letter requesting a merit increase. An employee may appear before the Personnel Board prior to its action on any request for a merit increase. Any employee denied such an increase may appeal, in writing, to the Personnel Board, which shall confer with the employee, the Department Head and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and shall decide the matter.

b. Regular Part-Time employees in Schedule C shall be eligible for consideration for merit increases within their grade one year from the date of their last increase.

c. Special and other Part-Time personnel for whose positions there is a single rate established in Schedule D shall not be eligible for adjustment.

SECTION 8. TRANSFERS AND PROMOTIONS

a. An employee who is promoted to a job with a higher range or rate of pay shall enter it at the rate recommended by the Department Head with the approval of the Personnel Board. The employee may also receive at the time a one step rate increase, provided the maximum for the job is not exceeded, if the Department Head recommends that qualifications and performance warrant it and the Personnel Board approves. If the Department Head recommends that there should be a trial period before the promotional one step rate increase, then the Personnel Board may approve such a deferred promotional increase at the conclusion of the trial period (which shall not exceed three months).

b. An employee transferred to a job with a lower range or rate of pay shall enter it at the rate paid for the previous position or at the maximum rate for the job, whichever is the lower, provided the Personnel Board approves. The employee shall have a right to appeal this decision, in writing, to the Personnel Board, which shall confer with the employee, the Department Head and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and shall decide the matter.

SECTION 9. NEW PERSONNEL

a. Physical examinations will be required of newly-hired employees consistent with the Town's policies.

b. A new employee's hiring rate shall be the minimum of the rate range of the job, unless otherwise authorized by the Personnel Board. Department Heads shall notify the Personnel Board of the hiring of all personnel and their hiring rates.

c. For new hires for which there is a rate range and step rates, the first six months of employment shall be a probationary period at the end of which the employee may advance one step rate, provided that the Department Head recommends and the Personnel Board approves. The employee shall thereafter be reviewed for a step rate increase one year from the date of the employee's latest increase. This probationary step rate increase shall apply only at the start of employment and shall not apply in case of transfer or promotion from one job to another. During any such probationary period the employee nevertheless will earn vacation, sick and personal time in accordance with Section 11(b) hereof.

SECTION 10. DEPARTMENT BUDGETS

Each Department Head shall include in the annual budget a pay adjustment section to provide funds for anticipated pay adjustments, with expenditures to be made therefrom only in accordance with this Salary Administration Plan and with the approval of the Personnel Board.

SECTION 11. EMPLOYEE BENEFITS

Employee benefits are a cost to the Town and a form of "indirect pay" to employees. The benefits listed below are not intended to supersede what State or Federal law may otherwise require.

a. Holidays with Pay

Each eligible Employee shall receive one day's pay at their regular rate for the following:

New Year's Day
Martin Luther King Day
Presidents' Day
Patriot's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving Day
Christmas Day
Day before or after Christmas Day (as set by the Town from year to year)

To be eligible for holiday pay, an Employee must work (or be duly excused from working) their regular scheduled days preceding and following the holiday. Employees who do not work 20 hours or more per week on a regular basis shall not be compensated for holidays.

Employees whose regular day off falls on a holiday may have one day off with pay the following week in lieu of holiday pay, with the specific choice of day subject to Department Head approval.

All administrative policies and practices relative to holidays with pay shall be prepared and established under the direction of the Personnel Board.

b. Vacations with Pay

(1) Regular Full-Time Employees who have been in the continuous employ of the Town shall earn paid vacation in accordance with the following schedule:

Years of Employment	Hours Earned per month
0-5	6.666
6-10	10.0
11-15	13.333
16 or more	16.666

(2) At the recommendation of the hiring authority and upon the approval of the Personnel Board, new employees entering into a position with the Town of Southborough from a similar position in another municipality or similar government agency will be allowed to enter into the vacation schedule using their years of service from their prior employment, up to a maximum of three weeks vacation for the first year of employment with the Town. The probationary period for new hires would still apply.

(3) Vacation shall be granted by Department Heads at their discretion subject to the regular work needs of the Department. An employee shall be permitted to carry over to the following year up to one year's worth of earned vacation. The employee must have the Department Head's approval to take any portion of a prior year's unused vacation in addition to the days earned in the current fiscal year.

(4) If in the opinion of the Department Head there are unusual circumstances that warrant it, an Employee may, upon request and approval by the Department Head, continue at work and receive vacation pay in lieu of taking vacation.

(5) In the event of termination of employment other than for cause, the employee shall be paid, or be entitled to time off with pay, for any accumulated vacation time.

(6) Vacation administrative policies and practices shall be prepared and established under the direction of the Personnel Board.

c. Sick Leave

(1) All regular Full-Time Employees shall be entitled to accrue 10 sick hours per month, equaling 120 hours annually (15 sick days); employees working less than 40 hours in a weekly pay period will accrue ratably based on hours worked per week. Pay for each day of sick leave shall be at the regular rate. Absences on account of sickness in excess of that authorized shall be charged to vacation. Sick leave shall be payable only in cases of genuine illness, non-work-connected accident, or work-connected accidents not covered by Massachusetts General Laws Chapter 152 (Workers' Compensation).

(2) Unused sick leave may be accumulated without limitation for employees hired before July 1, 2007. Employees hired on or after July 1, 2007 may only accrue 120 sick days at any one time. At retirement only, the Town will pay the employee twenty percent (20%) of the employee's then-accumulated sick leave.

(3) Employees who because of genuine illness or a non-work-connected accident are absent for a period of more than three days shall be required to present a doctor's certificate to their Department Head before returning to work stating the reason and period of time the employee was absent.

(4) An employee may use up to seven of the allowed fifteen days of sick leave for the care of a sick family member.

(5) Sick leave administrative policies and practices shall be prepared and established under the direction of the Personnel Board.

d. Personal Days

Each employee shall be entitled to three personal days per year, to be granted annually on the employee's Anniversary Date (new employees shall be granted three personal days when they commence employment). Requests for personal days shall be approved by the Department Head. Personal days shall not accumulate from year to year.

e. Military Leave

(1) Reserve Duty: An employee in full-time employment in the military reserve shall be paid the difference between compensation received while on reserve duty and regular compensation rates paid the employee by the Town. Such payment by the Town shall be limited to a period not to exceed two weeks in any twelve-month period.

(2) Active Duty: Pursuant to Article 8 of the April 11, 2005 Annual Town Meeting, an employee in the federal military reserve or a state National Guard who is called to active service shall be entitled to their regular base salary and shall not lose any seniority or paid leave benefits while on military leave; *provided*, however, that such base pay shall be reduced by any amount received from the United States as pay or allowance for military service performed.

f. Jury Duty

Any employee who is called to jury duty shall be paid the difference between their normal compensation and the amount (excluding any travel allowance) received from the court, upon presentation of evidence of the amount paid by the court.

g. Miscellaneous Paid Time Off

Working time lost from regularly scheduled work days for reasons listed below shall be without loss of pay, provided such lost time is authorized by the Department Head:

(1) Bereavement leave – In the event of the death of a spouse, father, mother, child, father-in-law, mother-in-law, brother, sister, grandparent, or of any other person then residing with the employee, such employee shall be entitled to receive three days' leave for the purpose of the funeral and disposition of the deceased. If out-of-state travel is required, the Department Head may authorize up to two additional days of travel time.

(2) Medical examination or inoculation required by the Town.

(3) Blood donation authorized by the Department Head.

(4) Attendance at educational programs authorized by the Department Head.

h. Court Time Pay

If the Town requires that an employee appear in Court as a witness or in any other capacity arising from the performance of the employee's duty, or on behalf of the Commonwealth or the Town in any civil or criminal case pending in any Court or other official governmental board or agency, then for any such appearance that is made outside of the employee's normal working hours the employee shall be entitled to overtime compensation for every hour or fraction thereof during which they appear (but in no event less than three hours of such overtime pay).

i. Employee Educational Support

(1) Degree Bonus: All Full-Time employees who, while an employee of the Town, earns a degree in a field applicable to their position from an accredited college or university, shall receive a one-time bonus, according to the following schedule:

Associates Degree...	$ 800.00
Bachelors Degree...	$1,200.00
Masters Degree...	$1,500.00

A copy of the completed transcript, diploma or other appropriate evidence of the completed degree must be presented to the Department Head.

(2) Tuition reimbursement: As administered through the Personnel Board and subject to the procedure below, the Town may provide college tuition reimbursement to any Full-Time employee for a course that applies to the employee's specific position and for which the employee attained a grade of "B" or better.

(3) Approval Procedure: Town funds must first be appropriated by Town Meeting in the Personnel Board's fiscal year budget. If funds are appropriated, then no later than August 31st of each year interested employees shall advise the Personnel Board in writing of their interest in taking work-related courses during the fiscal year. The request should be routed through the employee's Department Head, and should include detailed information regarding the desired coursework and cost of tuition. Thereafter the Personnel Board will review all such requests and make recommendations for reimbursement based on available funds and the number of requests. The Board will then notify the employee and their department head of the decision.

(4) Reimbursement: Tuition reimbursed shall be paid only after the employee presents to the Department Head written verification of (a) course completion (with a grade of at least B) and (b) full payment by the employee. If an employee resigns employment within twelve months of such reimbursement, the employee shall be responsible to repay it to the Town.

j. Group Medical Insurance

The Town will contribute fifty percent (50%) of the cost of a medical indemnity plan or eighty percent (80%) of the cost of a Health Maintenance Organization plan.

SECTION 12. UNPAID LEAVES OF ABSENCE

a. A leave of absence without compensation may be granted by the Personnel Board.

b. Leaves of absence of over three months' duration (except Military Leave) shall be deemed a break in employment, and on return to work the employee shall have the status of a new employee unless an extension of leave beyond three months was authorized by the Personnel Board.

SECTION 13. TRANSITIONS BETWEEN FULL-TIME AND PART-TIME STATUS

a. A Part-Time employee shall be eligible for Full-Time status when the employee has worked 20 hours or more per week for a period of at least three consecutive months, subject to approval by the Department Head.

b. A Full-Time employee whose hours of employment total less than 20 hours per week for a period of more than three consecutive months shall thereafter be deemed a Part-Time employee.

SECTION 14. APPOINTMENT OF "ACTING" DEPARTMENT HEADS

a. In the absence of a Department Head for three consecutive weeks, the Board of Selectmen or appropriate commissioners or trustees may appoint an "Acting" Department Head to serve for a period of not more than three months. Such three-month period may be extended for up to three additional three-month periods, upon the approval of the Board of Selectmen and the Personnel Board for each such extension. In no case shall an appointment of an "Acting" Department Head exceed one year.

b. Duly appointed "Acting" employees shall be compensated at an additional 10% per week, payable retroactively only upon the conclusion of three consecutive weeks of service by the "Acting" employee. Such employees shall still be eligible for overtime pay when fulfilling regular duties from the previous job beyond normal working hours.

SECTION 15. PERSONNEL BOARD

a. There shall be a Personnel Board to administer the Salary Administration Plan and Personnel By-Laws. Said Board to be appointed by the Moderator, consisting of five voters other than employees of the Town or those regularly serving the Town in any elective capacity. They shall serve without compensation.

b. Other than as may be needed to fill unexpected vacancies, appointments shall be for three years. The Moderator shall fill any vacancies. All members shall continue to hold office until their successors have been appointed and qualified. The Personnel Board may employ assistance and incur expenses as it deems necessary, subject to appropriation of funds thereof.

SECTION 16. DUTIES OF THE PERSONNEL BOARD

a. The Personnel Board shall administer the Salary Administration Plan and Personnel By-Laws and shall establish such policies, procedures and regulations as it deems necessary for the administration of the Plan.

b. The Board shall meet annually in July and organize by the choice of a Chairman and Clerk. The Board shall meet at least monthly, except for the month of August. A majority of the Board shall constitute a quorum for the transaction of business. The votes of the majority of all the members of the Board shall be necessary on any matter upon which it is authorized to or required to pass under the Salary Administration Plan and Personnel By-Laws.

c. The Personnel Board shall maintain records of all employees subject to this Plan as it deems desirable, including personnel evaluations. Such records are to be kept by the Assistant Town Administrator, under the direction of the Personnel Board. Department Heads shall furnish such information as requested by the Board.

d. The Personnel Board shall from time to time, but no less often than every federal Election Year, review the Classification Schedule, Salary Schedules, and administration policies of the Salary Administration Plan and Personnel By-Laws. It shall keep informed as to pay rates and policies outside the Town, and shall recommend to the Town any action that the Board deems desirable in that regard. The Personnel Board may tentatively add a new class to the Classification Schedule or reallocate an existing class to a different compensation grade, either higher or lower, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting.

e. On or before November 30th of each year the Personnel Board may vote an annual adjustment (but shall reserve the right to vote no adjustment) to the Classification Schedule and establish the effective rate for Step 9 employees of each grade for the next fiscal year, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting. The Personnel Board shall base any annual adjustments upon available relevant information, including, but not limited to U.S. Department of Labor Cost of Living indices and salaries paid by equivalent towns for comparable positions.

f. Matters that are sent to the Chairman of the Personnel Board by registered mail must be brought before the Board at its next scheduled meeting. Failure of the board to vote to approve or disapprove requests at the next regular meeting shall constitute approval of the request. In addition, notice in writing shall be forwarded to the concerned employee and respective Department Head within seven days of the Board's decision. Notwithstanding the foregoing, if the Personnel Board shall so request and the concerned employee and Department Head shall agree, a reasonable extension of these time periods may be granted.

g. Upon recommendation of a Department Head, supported by evidence in writing of special reasons and exceptional circumstances satisfactory to the Personnel Board, the Board may authorize variances in the Salary Administration Plan and Personnel By-Laws as it may deem necessary for the proper functioning of the services of the Town, and to effectuate the basic intent of the Plan.

SECTION 17. EMPLOYEES AND THE PERSONNEL BOARD

a. All employees covered by this Salary Administration Plan shall have the right to request an appointment to confer with the Personnel Board on any matter of interest or concern to them that is covered by the Salary Administration Plan and Personnel By-Laws. The employee shall notify the Department Head in writing in advance of the desire to discuss the matter with the Board. One of the duties of the Board shall be to foster mutual understanding and good will with the personnel of the Town.

b. To facilitate this, if any employee should feel aggrieved by the operation of any provision of the Plan, the employee shall first discuss the matter with the Department Head, in a mutual effort to clear up any problems or misunderstanding.

c. If two weeks after such a conference a satisfactory understanding and solution of the problem has not been reached, then either the Department Head or the employee may take the matter to the Personnel Board, and the Board shall hear the parties not later than at its next regular meeting. There shall be no discrimination or prejudice by a Department Head against any employee who may take a matter to the Board.

SECTION 18. AMENDMENT OF THE PLAN

The Salary Administration Plan and Personnel By-Laws may be amended in the same manner that Town By-Laws may be amended. However, no amendment to the Plan shall be made until it has been presented by a signed petition to, and acted upon by, the Personnel Board. Upon receipt of such a written petition, the Board, after giving the petitioner(s), the Department Head(s) and the affected employee(s) at least two weeks' written notice, shall hold a hearing to consider the proposed amendment. If the Personnel Board approves of any proposed amendment, it shall bring it before the next annual Town Meeting for its consideration. If the Personnel Board disapproves any proposed amendment or shall fail to act thereof within fifteen days after the hearing (which failure shall be deemed disapproval), the petitioner(s) may present the petition to the next annual Town Meeting for its consideration. The Board of its own motion, after a similar hearing and/or conference with parties interested, may propose an amendment to the Plan.

SECTION 19. SEVERABILITY PROVISION

In the event that any provision of this by-law, or application thereof, shall be held to be invalid by the proper authorities, this shall not be construed to affect the validity of any other provision, or application thereof, of this by-law.

SECTION 20: CLASSIFICATION SCHEDULE

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9
I	30,000	31,200	32,448	33,746	35,096	36,500	37,960	39,478	*
II	35,000	36,400	37,856	39,370	40,945	42,583	44,286	46,058	*
III	40,000	41,600	43,264	44,995	46,794	48,666	50,613	52,637	*
IV	45,000	46,800	48,672	50,619	52,644	54,749	56,939	59,217	*
V	55,000	57,200	59,488	61,868	64,342	66,916	69,593	72,376	*
VI	60,000	62,400	64,896	67,492	70,192	72,999	75,919	78,956	*
VII	75,000	78,000	81,120	84,365	87,739	91,249	94,899	98,695	*

*** Step 9 of the Classification Schedule will be addressed per Section 16(e) of this plan.**

SCHEDULE A: FULL-TIME SALARY GRADED POSITIONS

Maintenance Custodian (Hourly)	I
Staff Librarian (Hourly)	I
After-School Program Coordinator	II
Assistant Director, Council on Aging	II
Maintenance Mechanic	II
Outreach Coordinator	II
Program Coordinator, Recreation Commission	II
Assistant Director, Youth & Family Services	III
Children's Librarian	III
Maintenance Supervisor	III
Staff Engineer	III
Director, Council on Aging	IV
Director of Recreation Commission	IV
Assistant Superintendent, DPW	V
Assistant Town Administrator	V
Building Inspector	V
Facilities Manager	V
Library Director	V
Police Lieutenant	V
Principal Assessor	V
Public Health Director	V
Town Accountant	V
Town Planner	V
Town Engineer	V
Treasurer-Collector	V
Director, Youth & Family Services	V
Finance Director	VI
Superintendent of Public Works	VII

SCHEDULE B: [RESERVED]

SCHEDULE C: PART-TIME HOURLY GRADED POSITIONS

Library Page (P.T.)	1
Seasonal Laborer	1
Electrician	2
Seasonal Laborer II	2
Summer Program Assistant, Youth Commission	2
Election Worker (P.T.)	3
Page, Library	3
Election Warden (P.T.)	4
Clerk, Library	5
Library Custodian	5
Substitute Custodian	5
Police Dispatcher	8
Receptionist	8
Secretary, Town Committee	8
Reserve Police Officer	9
Cable Access Facilitator	11
Tree Warden	11
Administrative Assistant	11
Animal Control Officer	11
Nurse	13
Electrician	13

Hourly Rates for Part-Time Positions

Grade	Minimum	Maximum
1	$5.15	$7.70
2	$8.34	$12.35
3	$8.84	$12.98
4	$9.26	$13.78
5	$9.71	$14.49
6	$10.25	$15.22
7	$10.73	$15.95
8	$11.26	$16.77
9	$11.82	$17.62
10	$12.54	$18.66
11	$13.87	$20.70
12	$21.00	$28.00
13	$29.00	$41.00

SCHEDULE D: FIRE DEPT POSITIONS (not covered by Collective Bargaining Agreement)

Grade	Proposed Pay Structure	Drills	Boxes	Signal 55
1	Firefighter (Entry Level)	0.00	0.00	0.00
2	Firefighter I Certified	18.00	16.00	16.00
3	Firefighter I/II Certified	19.00	17.00	17.00
4	Firefighter I Certified/Operator	20.00	18.00	18.00
5	Firefighter I/II Certified/Operator	21.00	19.00	19.00
6	EMT (Entry Level)	0.00	0.00	0.00
7	EMT	18.00	16.00	16.00
8	EMT-I	20.00	18.00	18.00
9	Firefighter I Certified/EMT	20.00	18.00	18.00
10	Firefighter I/II Certified/EMT	21.00	19.00	19.00
11	Firefighter I Certified/Operator/EMT	22.00	20.00	20.00
12	Firefighter I/II Certified/Operator/EMT	23.00	21.00	21.00
13	Lieutenant	24.00	22.00	22.00
14	Lieutenant/EMT	26.00	24.00	24.00

SCHEDULE E: MISCELLANEOUS ANNUAL COMPENSATION SCHEDULE

Clerk, Board of Registrars	$1,638.33
Registrar of Voters	$205.66
Town Counsel (not including fees)	$1,704.33
Tree Warden	$2,500
Veterans' Agent and Director of Veterans' Services	$9,836.68

SCHEDULE F : FEE BASED COMPENSATION (Recreation Seasonal Personnel)

Junior Playground Counselor	1
Senior Playground Counselor	2
Assistant Instructor	2
Assistant Supervisor	3
Monitors	3
Lifeguards	4
Instructors I	5
School Monitors	6
Activity Coordinator	6
Program Driver	6
Coordinator/Supervisor	11
Program Assistant/Coordinator	11
Instructor II	12
Master Instructor	13
Seasonal Nurse	13

LONGEVITY SCHEDULE: Full-Time Employees – Compensated annually at Anniversary Date

After 5 years	$400
After 10 years	$600
After 15 years	$700
After 20 years	$850
After 25 years	$1,000
After 30 years	$1,200
After 40 years	$1,500

,or do or act anything in relation thereto.

Proposed by: PERSONNEL BOARD
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 6 Support

Summary: This version of the Salary Administration Plan [Personnel by-law] replaces the existing by-law. The Personnel Board has performed a thorough review this past year and has re-written the by-law to condense it and make necessary corrections.

MOTION MADE: that the Town delete the Personnel Salary Administration Plan, as specified in Chapter 31 of the Code of the Town of Southborough, entitled: PERSONNEL, and insert in its place The Salary Administration Plan and Personnel By Laws of the Town of Southborough as printed in the warrant.

MOTION PASSED UNANIMOUSLY.

ARTICLE 6: That the Town will vote to raise a sum of money not to exceed the sum of $40,924,199 as may be necessary for the Town's use, and make appropriations of the same, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN

Summary: Budget-See budget report which includes the Advisory Committee and Board of Selectmen's recommendations for FY08.

MOTION MADE: that the Town raise a sum of money not to exceed the sum of $40,924,198 as may be necessary for the Town's use, and make appropriation of the same.

MOTION PASSED UNANIMOUSLY.

MOTION MADE: To divide the question.

MOTION PASSED UNANIMOUSLY.

MOTION MADE: To take an umbrella vote on those budgets that do not have a hold on them. This one vote will have the affect of voting each separately.

MOTION PASSED UNANIMOUSLY.

MOTION MADE: To pass all budgets that do not have a hold on them.

MOTION PASSED UNANIMOUSLY.

100-199 GENERAL GOVERNMENT

110-119 LEGISLATIVE

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY2007 BUDGET	FY2008 REQUEST	Percent Inc./Decr.
114 MODERATOR					
51000-51990 Personal Services	50	50	50	50	
57000-57990 Other Charges and Expenses	50	0	50	25	
MODERATOR TOTAL	100	50	100	75	-25.0%

121-129 EXECUTIVE

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY2007 BUDGET	FY2008 REQUEST	Percent Inc./Decr.
121 ELECTED BOARD OF SELECTMEN					
51000-51990 Personal Services	3,000	3,000	3,000	3,000	
ELECTED BOARD OF SELECTMEN TOTAL	3,000	3,000	3,000	3,000	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
122 BOARD OF SELECTMEN					
51000-51990 Personal Services	181,473	191,938	182,744	205,908	
52000-53990 Purchase of Services	2,354	13,613	6,550	6,150	
54000-55990 Supplies	1,649	1,424	2,065	1,465	
57000-57990 Other Charges and Expenses	6,281	6,207	8,275	8,363	
BOARD OF SELECTMEN TOTAL	191,757	213,182	199,634	221,886	11.1%

131-149 FINANCIAL ADMINISTRATION

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
131 ADVISORY COMMITTEE					
57000-57990 Other Charges and Expenses	135	0	180	180	
ADVISORY COMMITTEE TOTAL	135	0	180	180	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
132 RESERVE FUND					
57000-57990 Other Charges and Expenses	188,222	378,111	200,000	200,000	
RESERVE FUND TOTAL	188,222	378,111	200,000	200,000	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
135 TOWN ACCOUNTANT					
51000-51990 Personal Services	125,191	144,912	139,011	108,252	
52000-53990 Purchase of Services	6,269	8,738	4,200	23,285	
54000-55990 Supplies	612	800	800	800	
57000-57990 Other Charges and Expenses	89	75	100	275	
58000-58990 Capital Outlay	0	0	300	0	
TOWN ACCOUNTANT TOTAL	132,161	154,525	144,411	132,612	-8.2%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
136 AUDIT					
52000-53990 Purchase of Services	19,500	19,500	20,000	21,000	
AUDIT TOTAL	19,500	19,500	20,000	21,000	5.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
140 ELECTED BOARD OF ASSESSORS					
51000-51990 Personal Services	2,250	2,250	2,250	2,250	
ELECTED BOARD OF ASSESSORS TOTAL	2,250	2,250	2,250	**2,250**	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
141 ASSESSORS					
51000-51990 Personal Services	124,552	130,679	134,762	137,331	
52000-53990 Purchase of Services	28,140	39,078	20,300	17,200	
54000-55990 Supplies	4,457	4,655	5,600	5,600	
57000-57990 Other Charges and Expenses	5,244	4,251	5,700	6,900	
58000-58990 Capital Outlay	0	0	0	0	
ASSESSORS TOTAL	162,393	178,663	166,362	**167,031**	0.4%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
145 TREASURER/COLLECTOR					
51000-51990 Personal Services	144,937	180,712	185,039	194,774	
52000-53990 Purchase of Services	16,423	10,868	6,865	7,425	
54000-55990 Supplies	4,161	2,259	3,670	2,590	
57000-57990 Other Charges and Expenses	4,794	2,881	3,050	3,105	
TREASURER/COLLECTOR TOTAL	170,315	196,720	198,624	**207,894**	4.7%

151-159 OPERATIONS SUPPORT

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
151 LEGAL					
52000-53990 Purchase of Services	99,198	102,945	95,000	95,000	
LEGAL TOTAL	99,198	102,945	95,000	**95,000**	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
152 PERSONNEL BOARD					
51000-51990 Personal Services	0	0	0	7,700	
52000-53990 Purchase of Services	3,120	2,670	3,195	8,050	
54000-55990 Supplies	0	70	50	50	
57000-57990 Other Charges and Expenses	0	120	120	120	
PERSONNEL BOARD TOTAL	3,120	2,860	3,365	**15,920**	373.1%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
153 SPECIAL LEGAL COUNSEL					
52000-53990 Purchase of Services	136,099	58,925	55,000	55,000	
SPECIAL LEGAL COUNSEL TOTAL	136,099	58,925	55,000	**55,000**	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
155 MANAGEMENT INFORMATION SYSTEMS					
20 GEOGRAPHIC INFORMATION SYSTEMS					
52000-53990 Purchase of Services	19,270	37,868	45,100	35,600	
54000-55990 Supplies	0	0	2,000	4,000	
58000-58990 Capital Outlay	0	0	0	0	
Geographic Information Systems Total	19,270	37,868	47,100	39,600	
21 OTHER INFORMATION SYSTEMS					
52000-53990 Purchase of Services	163,021	102,012	98,400	125,860	
54000-55990 Supplies	3,169	3,112	5,900	4,200	
58000-58990 Capital Outlay	23,255	23,924	19,350	23,108	
Other Information Systems Total	189,445	129,049	123,650	153,168	
MANAGEMENT INFORMATION SYSTEMS TOTAL	208,715	166,916	170,750	192,768	12.9%
MOTION: I move that the 155 Management Information System budget ($192,768) be raised and appropriated with $7,000 contingent on passage of a budget override at the Annual Town election. **MOTION PASSED BY MAJORITY VOTE.**					
Budget override DEFEATED at Annual Town Election May 14, 2007				-7,000	
FINAL BUDGET				**185,768**	

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
159 OTHER OPERATION SUPPORT					
51000-51990 Personal Services	32,095	35,302	37,216	37,882	
52000-53990 Purchase of Services	65,649	71,576	81,575	86,373	
54000-55990 Supplies	2,955	5,501	5,953	6,363	
58000-58990 Capital Outlay	0	0	0	0	
OTHER OPERATION SUPPORT TOTAL	100,699	112,379	124,744	130,618	4.7%
MOTION: I move that the budget of Other Operation Support ($130,618) be raised and appropriated with $4,000 contingent on passage of a budget override at the Annual Town Election. **MOTION PASSED UNANIMOUSLY.**					
Budget override DEFEATED at Annual Town Election May 14, 2007				-4,000	
FINAL BUDGET				**126,618**	

160-169 LICENSING AND REGISTRATION

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
160 ELECTED TOWN CLERK					
51000-51990 Personal Services	25,000	30,000	30,000	35,000	
ELECTED TOWN CLERK TOTAL	25,000	30,000	30,000	**35,000**	16.7%

161 TOWN CLERK					
51000-51990 Personal Services	41,581	44,735	45,365	45,463	
52000-53990 Purchase of Services	1,257	1,436	2,060	2,060	
54000-55990 Supplies	589	574	800	850	
57000-57990 Other Charges and Expenses	170	131	345	380	
58000-58990 Capital Outlay	0	0	0	0	
TOWN CLERK TOTAL	43,597	46,876	48,570	**48,753**	0.4%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
162 ELECTIONS & REGISTRATION					
51000-51990 Personal Services	52,178	45,131	54,953	46,945	
52000-53990 Purchase of Services	11,555	15,120	18,945	16,315	
54000-55990 Supplies	1,912	1,206	1,915	1,456	
57000-57990 Other Charges and Expenses	239	295	425	475	
58000-58990 Capital Outlay	114	0	0	0	
ELECTIONS & REGISTRATION TOTAL	65,998	61,752	76,238	**65,191**	-14.5%

171-179 LAND USE

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
171 CONSERVATION COMMISSION					
51000-51990 Personal Services	25,246	28,119	34,657	34,657	
52000-53990 Purchase of Services	2,056	2,241	1,800	8,300	
54000-55990 Supplies	698	123	575	575	
57000-57990 Other Charges and Expenses	60	800	1,300	1,300	
58000-58990 Capital Outlay	0	148	0	0	
CONSERVATION COMMISSION TOTAL	28,060	31,431	38,332	**44,832**	17.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
175 PLANNING BOARD					
51000-51990 Personal Services	96,945	100,337	117,346	120,658	
52000-53990 Purchase of Services	1,310	3,610	4,910	3,735	
54000-55990 Supplies	860	1,475	2,475	2,575	
57000-57990 Other Charges and Expenses	4,009	5,663	5,819	5,859	
PLANNING BOARD TOTAL	103,124	111,084	130,550	**132,827**	1.7%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
176 ZONING BOARD OF APPEALS					
51000-51990 Personal Services	8,770	6,906	9,217	9,219	
52000-53990 Purchase of Services	3,700	6,033	3,700	3,700	
54000-55990 Supplies	180	60	180	180	
ZONING BOARD OF APPEALS TOTAL	12,650	12,999	13,097	**13,099**	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
177 OPEN SPACE					
52000-53990 Purchase of Services	303	0	900	350	
54000-55990 Supplies	355	179	300	150	
OPEN SPACE TOTAL	658	179	1,200	**500**	-58.3%

191-199 OTHER

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
192 PUBLIC BUILDINGS AND PROPERTIES MAINTENANCE					
51000-51990 Personal Services	191,134	225,811	292,342	319,627	
52000-53990 Purchase of Services	186,750	197,064	211,835	252,970	
54000-55990 Supplies	95,875	110,392	33,000	49,000	
57000-57990 Other Charges & Expenses	810	1,288	1,850	1,850	
58000-58990 Capital Outlay	0	12,724	0	0	
PUBLIC BLDGS. & PROPERTY MAINT. TOTAL	474,569	547,279	539,027	623,447	15.7%
MOTION: I move that the budget of Public Buildings and Properties Maintenance ($623,447) be raised and appropriated with $50,000 contingent on passage of a budget override at the Annual Town Election. **MOTION PASSED BY MAJORITY VOTE.**					
Budget override DEFEATED at Annual Town Election May 14, 2007				-50,000	
FINAL BUDGET				573,447	

200-299 PUBLIC SAFETY

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
210 POLICE DEPARTMENT					
51000-51990 Personal Services	1,143,055	1,271,668	1,429,513	1,438,970	
52000-53990 Purchase of Services	45,811	48,006	60,250	56,350	
54000-55990 Supplies	15,390	16,076	17,050	19,650	
57000-57990 Other Charges and Expenses	5,230	1,692	2,760	3,150	
58000-58990 Capital Outlay	3,964	4,123	4,000	4,000	
POLICE DEPARTMENT TOTAL	1,213,450	1,341,564	1,513,573	1,522,120	0.6%
MOTION: I move that the budget of the Police Department ($1,522,120) be raised and appropriated with $41,000 contingent on passage of a budget override at the Annual Town Election. **MOTION PASSED UNANIMOUSLY.**					
Budget override DEFEATED at Annual Town Election May 14, 2007				-41,000	
FINAL BUDGET				**1,481,120**	

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
220 FIRE DEPARTMENT					
51000-51990 Personal Services	1,387,853	1,413,214	1,459,644	1,493,805	
52000-53990 Purchase of Services	99,900	104,230	90,173	109,921	
54000-55990 Supplies	53,356	31,733	42,458	44,380	
57000-57990 Other Charges and Expenses	4,090	2,903	3,395	3,395	
58000-58990 Capital Outlay	7,764	4,632	3,100	2,000	
FIRE DEPARTMENT TOTAL	1,552,963	1,556,712	1,598,770	1,653,501	3.4%
MOTION: I move that the budget of the Fire Department ($1,653,501) be raised and appropriated with $41,000 contingent on passage of a budget override at the Annual Town Election. **MOTION PASSED UNANIMOUSLY.**					
Budget override DEFEATED at Annual Town Election May 14, 2007				-41,000	
FINAL BUDGET				**1,612,501**	

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
241 BUILDING DEPARTMENT					
51000-51990 Personal Services	84,923	87,889	93,290	94,024	
52000-53990 Purchase of Services	395	929	975	975	
54000-55990 Supplies	480	306	480	480	
57000-57990 Other Charges and Expenses	1,880	1,673	1,880	1,880	
58000-58990 Capital Outlay	500	188	0	0	
BUILDING DEPARTMENT TOTAL	88,178	90,985	96,625	**97,359**	0.8%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
291 CIVIL DEFENSE					
51000-51990 Personal Services	1,227	926	926	926	
52000-53990 Purchase of Services	1,146	800	400	800	
54000-55990 Supplies	0	0	400	525	
57000-57990 Other Charges and Expenses	0	0	0	50	
58000-58990 Capital Outlay	0	0	0	0	
CIVIL DEFENSE TOTAL	2,373	1,726	1,726	**2,301**	33.3%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
292 ANIMAL CONTROL OFFICER AND ANIMAL INSPECTOR					
51000-51990 Personal Services	23,000	0	25,500	0	
52000-53990 Purchase of Services	7,100	24,695	400	26,920	
54000-55990 Supplies	500	0	100	100	
ANIMAL CONTROL OFFICER TOTAL	30,600	24,695	26,000	**27,020**	3.9%

400-499 PUBLIC WORKS & FACILITIES

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
420, 430, 490 DEPT. OF PUBLIC WORKS					
(Highway, Cemetery, Tree)					
51000-51990 Personal Services	879,520	699,106	814,797	825,084	
52000-53990 Purchase of Services	596,971	541,185	575,329	732,900	
54000-55990 Supplies	313,227	269,366	263,800	284,100	
56000-56990 Intergovernmental	2,500	2,550	2,500	2,500	
57000-57990 Other Charges and Expenses	8	0	500	4,500	
58000-58990 Capital Outlay	5,025	9,958	5,000	6,000	
ALL OTHER DEPT. OF PUBLIC WORKS TOTAL	1,797,251	1,522,164	1,661,926	1,855,084	11.6%
MOTION: I move that the budget of the Department of Public Works ($1,855,084) be raised and appropriated with $41,000 contingent on passage of a budget override at the Annual Town Election. **MOTION PASSED BY MAJORITY VOTE.**					
Budget override DEFEATED at Annual Town Election May 14, 2007				-41,000	
FINAL BUDGET				**1,814,084**	

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
450 DEPT. OF PUBLIC WORKS - WATER					
51000-51990 Personal Services	351,337	271,561	340,845	361,574	
52000-53990 Purchase of Services	111,847	171,016	142,030	160,550	
54000-55990 Supplies	49,066	41,391	60,071	61,411	
56000-56990 Intergovernmental	544,211	565,480	730,000	830,000	
57000-57990 Other Charges and Expenses	0	300	1,050	500	
58000-58990 Capital Outlay	2,786	2,525	3,500	5,000	
DEPT. OF PUBLIC WORKS - WATER TOTAL	1,059,247	1,052,274	1,277,496	**1,419,035**	11.1%

500-599 HUMAN SERVICES

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
510 ELECTED BOARD OF HEALTH					
51000-51990 Personal Services	450	450	450	450	
ELECTED BOARD OF HEALTH TOTAL	450	450	450	**450**	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
511 BOARD OF HEALTH					
51000-51990 Personal Services	101,003	110,962	119,023	120,783	
52000-53990 Purchase of Services	10,360	5,251	7,110	2,400	
54000-55990 Supplies	900	986	900	1,200	
57000-57990 Other Charges and Expenses	1,747	1,975	1,947	2,580	
58000-58990 Capital Outlay	0	623	0	2,000	
BOARD OF HEALTH TOTAL	114,010	119,797	128,980	**128,963**	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
541 COUNCIL ON AGING					
51000-51990 Personal Services	101,991	126,393	142,505	155,812	
52000-53990 Purchase of Services	30,732	15,055	19,470	26,020	
54000-55990 Supplies	4,425	4,999	4,500	4,900	
57000-57990 Other Charges and Expenses	1,075	564	1,640	1,640	
58000-58990 Capital Outlay	0	0	0	0	
COUNCIL ON AGING TOTAL	138,223	147,011	168,115	**188,372**	12.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
542 YOUTH COMMISSION					
51000-51990 Personal Services	103,907	113,782	117,020	117,379	
52000-53990 Purchase of Services	8,239	3,596	3,963	4,513	
54000-55990 Supplies	661	796	350	350	
57000-57990 Other Charges and Expenses	1,806	2,001	2,455	2,455	
YOUTH COMMISSION TOTAL	114,613	120,174	123,788	**124,697**	0.7%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
543 VETERANS' SERVICES					
51000-51990 Personal Services	9,837	9,837	9,837	9,837	
52000-53990 Purchase of Services	0	0	0	0	
54000-55990 Supplies	200	115	0	175	
57000-57990 Other Charges and Expenses	16,034	24,442	22,745	22,895	
VETERANS' SERVICES TOTAL	26,071	34,394	32,582	**32,907**	1.0%

600-699 CULTURE & RECREATION

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
610 LIBRARY					
51000-51990 Personal Services	247,322	231,255	257,177	259,472	
52000-53990 Purchase of Services	19,954	31,527	32,873	36,905	
54000-55990 Supplies	58,245	55,290	63,000	73,000	
57000-57990 Other Charges and Expenses	14,600	17,166	15,450	15,146	
58000-58990 Capital Outlay	1,347	4,648	1,500	1,000	
LIBRARY TOTAL	341,468	339,886	370,000	385,523	4.2%
MOTION: I move that the budget of the Library ($385,523) be raised and appropriated with $10,000 contingent on passage of a budget override at the Annual Town Election. **MOTION PASSED UNANIMOUSLY.**					
Budget override DEFEATED at Annual Town Election May 14, 2007				-10,000	
FINAL BUDGET				**375,523**	

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
630 RECREATION COMMISSION					
51000-51990 Personal Services	112,402	114,447	123,498	106,496	
52000-53990 Purchase of Services	7,750	3,575	4,310	4,310	
54000-55990 Supplies	418	720	784	784	
57000-57990 Other Charges and Expenses	2,535	3,079	2,810	2,810	
58000-58990 Capital Outlay	0	0	0	0	
RECREATION COMMISSION TOTAL	123,105	121,821	131,402	**114,400**	-12.9%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
691 HISTORICAL COMMISSION					
51000-51990 Personal Services	0	0	0	0	
52000-53990 Purchase of Services	600	2,000	2,362	2,362	
54000-55990 Supplies	75	0	190	190	
HISTORICAL COMMISSION TOTAL	675	2,000	2,552	**2,552**	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
692 MEMORIAL DAY					
52000-53990 Purchase of Services	350	0	450	400	
54000-55990 Supplies	718	1,555	1,805	1,855	
MEMORIAL DAY TOTAL	1,068	1,555	2,255	**2,255**	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
693 HERITAGE DAY					
52000-53990 Purchase of Services	0	0	0	0	
54000-55990 Supplies	0	0	0	0	
57000-57990 Other Charges and Expenses	400	0	0	0	
HERITAGE DAY TOTAL	400	0	0	**0**	#DIV/0!

700-799 DEBT SERVICE

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
710 RETIREMENT OF DEBT-GENERAL FUND					
59000-59490 Debt Service					
59100 Principal Long Term Debt	2,403,186	2,430,596	2,420,596	3,475,599	
59350 Principal Short Term Debt	229,164	0	0	0	
59000-59490 Total Debt Service-General Fund	2,632,350	2,430,596	2,420,596	**3,475,599**	43.6%

MOTION: I move that the Budget 710 be funded as follows: $3,475,599 be appropriated with $716,655 to come from Stabilization Fund.
REQUIRES 2/3 VOTE
MOTION DEFEATED: YES: 183 No: 98

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
750 INTEREST ON DEBT-GENERAL FUND					
59000-59490 Debt Service					
59150 Interest Long Term Debt	1,665,947	1,579,856	1,391,852	1,501,929	
59250 Interest on Notes	2,928	20,204	56,500	16,605	
59000-59490 Total Debt Service-General Fund	1,668,875	1,600,060	1,448,352	1,518,534	4.8%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
710 RETIREMENT OF DEBT-WATER FUND					
59000-59490 Debt Service					
59100 Principal Long Term Debt	50,000	50,000	50,000	50,000	
59000-59490 Total Debt Service-Water Fund	50,000	50,000	50,000	50,000	0.0%

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
750 INTEREST ON DEBT-WATER FUND					
59000-59490 Debt Service					
59150 Interest Long Term Debt	11,625	11,625	10,500	9,375	
59000-59490 Total Debt Service-Water Fund	11,625	11,625	10,500	**9,375**	-10.7%

900-999 UNCLASSIFIED

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
910 EMPLOYEE BENEFITS					
51000-51990 Total Personal Services					
51700 Police/Fire Accident and Workers' Comp.	23,775	91,881	141,200	126,975	
51710 Unemployment Payments	169	10,033	25,000	25,000	
51720 Health Insurance	2,510,043	2,565,816	3,197,063	3,318,317	
51730 Retirement Fund	524,871	628,342	684,488	710,611	
51740 Life Insurance	5,679	5,401	6,116	5,946	
51750 Social Security	195	0	0	0	
51770 Medicare	170,043	184,458	182,350	206,325	
51780 Dental Insurance	106,580	111,748	139,970	126,124	
EMPLOYEE BENEFITS TOTAL	3,341,355	3,597,680	4,376,187	4,519,298	3.3%
MOTION: I move that the budget of 910 Employee Benefits-Schools K-8 ($4,519,298) be raised and appropriated with $26,000 contingent on passage of a budget override at the Annual Town Election. **MOTION PASSED UNANIMOUSLY.**					
Budget override DEFEATED at Annual Town Election May 14, 2007				-26,000	
FINAL BUDGET				**4,493,298**	

BUDGET NAME	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
945 LIABILITY INSURANCE					
52000-53990 Purchase of Services	5,850	5,450	11,000	0	
57100-57990 Other Charges and Expenses	160,213	174,162	203,500	214,012	
LIABILITY INSURANCE TOTAL	166,063	179,612	214,500	**214,012**	-0.2%

300-399 EDUCATION

BUDGET NAME	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
300 ELECTED SCHOOL COMMITTEE				
51000-51990 Personal Services	500	500	500	
ELECTED SCHOOL COMMITTEE TOTAL	500	500	**500**	0%
BUDGET NAME	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	
SOUTHBOROUGH SCHOOLS				
REGULAR DAY PROGRAMS				
ADMINISTRATION				
School Committee	11,702	13,300	13,300	
Superintendent's Office	164,096	185,172	187,383	
Administrative Support	191,518	188,575	200,987	

SOUTHBOROUGH SCHOOLS (cont.)

BUDGET NAME	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST
INSTRUCTION			
Supervision	36,523	39,200	41,200
Principals	730,142	775,197	798,804
Teaching	5,689,712	6,176,666	6,526,271
Professional Development	87,242	88,900	94,600
Textbooks & Materials	156,021	242,120	273,544
Instructional Hardware & Software	35,201	42,127	60,256
Library Services	211,908	220,144	229,241
Instructional Equipment	30,886	40,666	46,917
Guidance Services	172,217	183,817	192,633
OTHER STUDENT SERVICES			
Personnel Services	500	500	500
Health Services	230,146	240,054	278,414
Transportation	301,051	295,294	323,078
Athletics	18,923	21,192	21,485
Student Body Activities	19,813	18,075	29,765
OPERATION AND MAINTENANCE OF BUILDINGS			
Operation of Buildings	1,141,475	1,184,408	1,228,199
Maintenance of Buildings	222,177	265,515	320,008
Extraordinary Maintenance	20,000	20,000	25,000
Networking & Telecommunications	48,792	57,706	62,958
FIXED CHARGES			
Rentals & Leases	52,024	61,939	49,385
Retirement Liability	0	0	0
REGULAR DAY PROGRAMS	**9,572,070**	**10,360,567**	**11,003,928**
SPECIAL EDUCATION PROGRAMS - CHAPTER 766			
INSTRUCTION			
Legal	1,339	5,000	5,000
Director	99,677	106,244	115,484
Teaching	1,776,664	2,163,259	2,309,956
Professional Development	875	2,000	2,000
Instructional Technology	9,522	4,000	7,500
Psychological Services	221,534	298,224	350,725
OTHER STUDENT SERVICES			
Health Services	41,318	42,000	47,000
Transportation	292,353	375,000	333,000
OPERATION AND MAINTENANCE OF BUILDINGS			
Operation of Buildings	5,316	11,500	15,500
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS			
Tuition, Out	1,302,137	922,036	1,053,393
PROGRAMS, MEMBER OF COLLABORATIVE			
Assabet Collaborative Assessment	3,627	9,000	5,000
Tuition Out, Collaborative	192,649	73,000	126,880
SPECIAL ED. - CHAPTER 766	3,947,011	4,011,263	4,371,438

SUMMARY

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
REGULAR DAY PROGRAMS	9,572,070	10,360,567	11,003,928	
SPECIAL EDUCATION - CHAPTER 766	3,947,011	4,011,263	4,371,438	
GRAND TOTAL OPERATING BUDGET	**13,519,081**	**14,371,830**	15,375,366	6.98%
MOTION: I move that the budget of Southborough Schools (K-8) ($15,375,366) be funded as follows: $15,098,855 be raised and appropriated with $380,000 contingent on passage of a budget override at the Annual Town and that $276,511 be transferred from Stabilization. REQUIRES 2/3 VOTE **MOTION PASSED: YES: 212 NO: 14**				
Budget override DEFEATED at Annual Town Election May 14, 2007			-380,000	
FINAL BUDGET **$14,718,855 be raised and appropriated.**			**14,995,366**	

BUDGET NAME	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST
ALGONQUIN REGIONAL HIGH SCHOOL			
REGULAR DAY PROGRAMS			
ADMINISTRATION			
School Committee	50,830	50,132	52,543
Superintendent's Office	159,133	179,932	184,483
Administrative Support	182,914	190,500	204,670
INSTRUCTION			
Supervision	71,130	73,038	74,352
Principals	673,998	716,624	756,174
Teaching	5,342,414	5,939,850	6,482,137
Professional Development	84,467	95,350	95,950
Textbooks & Materials	511,133	309,700	315,457
Instructional Hardware & Software	20,077	40,525	38,450
Instructional Equipment	33,716	39,000	39,000
Guidance Services	533,706	591,885	579,313
OTHER STUDENT SERVICES			
Testing	2,755	3,500	3,500
Health Services	98,938	106,037	111,856
Transportation	871,782	875,336	917,048
Athletics/Student Body Activities	382,969	539,340	580,054
Other Student Activities	11,350	9,000	9,000
OPERATION AND MAINTENANCE OF BUILDINGS			
Operation of Buildings	1,103,938	1,086,491	1,311,349
Maintenance of Buildings	133,996	222,650	222,650
Payment for Local Northboro Services	83,495	72,500	72,500
Networking & Telecommunications	109,921	24,720	24,720
FIXED CHARGES			
Rentals and Leases	97,915	96,139	83,835
Insurance	1,914,514	2,547,530	2,619,329
Retirement Liability	144,692	172,894	172,894
Debt Service	0	0	0
TUITION, OTHER PUBLIC SCHOOLS			
Vocational Education	0	0	0
School Choice	29,745	27,000	30,000
REGULAR DAY PROGRAMS TOTAL	12,649,529	14,009,673	14,981,264
SPECIAL EDUCATION PROGRAMS - CHAPTER 766			
ADMINISTRATION			
Legal Services	1,474	6,000	6,000
INSTRUCTION			
Director	88,436	91,824	100,820
Teaching	368,851	562,642	637,396
Professional Development	1,445	2,600	3,800
Textbooks	0	750	1,500
Instructional Technology	5,886	3,000	7,500
Psychological Services	69,171	74,259	79,792
OTHER STUDENT SERVICES			
Health Services	2,168	1,500	4,000
Transportation	74,547	106,000	147,221
OPERATION AND MAINTENANCE OF BUILDINGS			
New Equipment	2,515	4,000	4,000
Equipment Maintenance	499	500	500
PROGRAMS, OTHER SYSTEMS IN MASSACHUSETTS			
Tuition, Out	190,260	227,819	142,000
PROGRAMS, MEMBER OF COLLABORATIVE			
Assabet Collaborative Assessment	2,814	7,800	4,000
Tuition Out, Collaborative	190,744	216,309	152,210
SPECIAL EDUCATION - CHAPTER 766 TOTAL	998,810	1,305,003	1,290,739

SUMMARY

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 REQUEST
REGULAR DAY PROGRAMS	12,649,529	14,009,673	14,981,264
SPECIAL ED. - CHAPTER 766	998,810	1,305,003	1,290,739
GRAND TOTAL OPERATING BUDGET	13,648,339	15,314,676	16,272,003

NORTHBOROUGH - SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2008 BUDGET & ASSESSMENTS - DEPT. OF ED. RECOMMENDED METHOD

			62.10%	37.90%
			Northboro	**Southboro**
Step 1				
School Committee Recommended Budget (FY 2008)		**16,272,003.00**		
Less Transportation	893,498.00			
SPED Transportation	147,221.00	1,040,719.00		
Less Fixed Charges		0.00		
Net School Spending		15,231,284.00		
Less Revenues		225,000.00		
Subtotal		15,006,284.00		
Less Chapter 70 Aid - Preliminiary		2,352,980.00		
Less State ward reimbursement		0.00		
Net Budget		12,653,304.00		
Step 2				
Minimum Local Contribution required by Ed Reform		8,704,773.00	5,499,161.00	3,205,612.00
Step 3				
Difference between Min. Contrib. & Net budget balance		3,948,531.00		
Step 4				
Apportion Step 3 amount by agreement			2,452,037.75	1,496,493.25
Step 5				
Transportation Budget	1,040,719.00			
Less Aid to Transportation Preliminary	683,791.00	356,928.00	221,652.29	135,275.71
Step 6				
Other Operational Costs	0.00			
Less Revenues	0.00	0.00		
Step 7				
Debt Payments Not Exempt from Proposition 2 1/2		16,818.00	11,049.00	6,411.00
Step 8		13,027,050.00		
Total assessments, Minimum local contribution plus apportionments			8,183,900.04	4,843,791.96
Step 9				
Excess & Deficiency Offset		581,154.00	360,896.63	220,257.37
FY 2007 Assessment Not Exempt from Proposition 2 1/2		**12,445,896.00**	**7,823,003.41**	**4,623,534.60**
Step 10				
Debt Payments Exempt from Proposition 2 1/2		2,616,862.26	1,634,731.24	982,131.02
Total FY 2008 Assessment		15,062,758.26	9,457,734.65	5,605,665.62

NORTHBOROUGH-SOUTHBOROUGH REGIONAL SCHOOL DISTRICT
FY 2007 BUDGET & ASSESSMENTS – DEPT. OF ED. RECOMMMENDED METHOD

Assessment Comparison

Northborough

	Non Exempt	Exempt	Total
FY 2008 Assessment	7,823,003.41	1,634,731.24	9,457,734.65
FY 2007 Assessment	7,486,172.04	1,691,426.86	9,177,598.90
Dollar Increase	336,831.37	-56,695.62	280,135.75
Percent Increase	4.50%	-3.35%	3.05%

Southborough

	Non Exempt	Exempt	Total
FY 2008 Assessment	4,623,534.60	982,131.02	5,605,665.62
FY 2007 Assessment	4,709,608.46	981,498.02	5,691,106.48
Dollar Increase	-86,073.86	633.00	-85,440.86
Percent Increase	-1.83%	0.06%	-1.50%

BUDGET NAME	FY 2006 BUDGET	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
ASSABET VALLEY REGIONAL VOCATIONAL SCHOOL				
School Committee	98,159	96,936	102,029	
Superintendent & Business Office	465,093	476,864	488,766	
Instruction Supervision	424,304	435,752	445,293	
Principal Office	145,614	158,152	162,118	
Instruction & Supplies	6,808,030	6,903,861	7,217,965	
Textbooks	51,500	51,500	51,500	
Library Services	100,071	102,655	104,711	
Multi-Media	8,000	8,000	8,000	
Guidance Services	422,445	434,510	449,613	
Attendance	24,982	25,618	26,331	
Health Services	84,521	88,718	90,646	
Transportation Contracts	883,999	961,500	976,700	
Transportation Sports - Field Trips	37,501	39,451	39,451	
Athletic Programs	274,150	280,814	286,323	
Student Body Activities	88,885	90,385	91,843	
Operation of Plant	1,265,908	1,299,886	1,353,564	
Maintenance of Plant	329,258	339,395	339,395	
Health-Life-Medicare Insurance	1,200,950	1,379,620	1,585,485	
Other Insurances	222,575	225,975	238,555	
Leases of Equipment	25,000	25,000	25,000	
Acquisition of Fixed Assets	157,000	193,000	193,000	
VOCATIONAL DAY OPERATING BUDGET	13,117,945	13,617,592	14,276,288	
Right to Know - Asbestos Audit	10,000	10,000	10,000	
Single Audit Requirement	15,500	15,500	15,500	
RIGHT TO KNOW - AUDIT BUDGET (TOTAL)	25,500	25,500	25,500	
Special Needs	873,716	908,323	958,739	
TOTAL BUDGET	14,017,161	14,551,415	15,260,527	
SOUTHBORO ASSESSMENT	175,023	132,946	117,841	-11.4%

BUDGET NAME	FY 2006 BUDGET	FY 2007 BUDGET	FY 2008 REQUEST	Percent Inc./Decr.
NORFOLK COUNTY AGRICULTURAL HIGH SCHOOL				
Tuition/Transportation Assessment	0	33,187	72,586	
NORFOLK COUNTY AGRICULTURAL H S TOTAL	0	33,187	72,586	119%

Adjourned ANNUAL TOWN MEETING
April 10, 2007

MOTION on Article 6: that the Town vote to raise a sum of money not to exceed the sum of $40,924,198 as may be necessary for the Town's use, and make appropriations of the same.

Transfer from the Cemetery Perpetual care	$15,000
Transfer from Free Cash	$1,400,000
Transfer from the Stabilization fund	$276,511
Transfer from Overlay Reserve	$203,752
Transfer from Ambulance Fund, Receipts Reserved (Fund 23)	$241,000
Transfer from Septic Betterment Fund	$35,596
Transfer from Premium Reserve	$376

That the Balance of $38,751,963 be raised and appropriated with $600,000 contingent on passage of a budget override by a majority vote at the Annual Town Election as follows:

155 Management Information systems	$7,000
159 Other operation support	$4,000
192 Public Buildings and Property Maintenance	$50,000
210 Police Department	$41,000
220 Fire Department	$41,000
420, 430, 490 DPW (Highway, Cemetery and Tree)	$41,000
610 Library	$10,000
Southborough Schools	$380,000
910 Employee Benefits-School	$26,000

MOTION PASSED BY MAJORITY VOTE.

At the ADJOURNED ANNUAL TOWN MEETING held April 10, 2007, after Article 31,
MOTION MADE TO RECONSIDER ARTICLE 6.
REQUIRES 2/3 VOTE
MOTION PASSED UNANIMOUSLY.

After reconsideration on April 10, 2007 NEW MOTION MADE on Article 6: that the Town vote to raise a sum of money not to exceed the sum of $40,924,198 as may be necessary for the Town's use, and make appropriations of the same.

Transfer from the Cemetery Perpetual care	$15,000
Transfer from Free Cash	$1,400,000
Transfer from the Stabilization fund	$276,511
Transfer from Overlay Reserve	$203,752
Transfer from Ambulance Fund, Receipts Reserved (Fund 23)	$241,000
Transfer from Septic Betterment Fund	$35,596
Transfer from Premium Reserve	$376
Transfer from CPA Fund	**$246,213**
$91,748 Open Space	
$84,632 2007 Discretionary Fund	
$69,833 Unreserved CPA Funds	
$246,213 TOTAL	

Transfer from CPA Fund of $246,213, was a duplicate vote. Motion made on Article 6 should read: that the Town vote to raise a sum of money not to exceed the sum of $40,677,985 as may be necessary for the Town's use, and make appropriations of the same.

That the Balance of **$38,505,750** be raised and appropriated with $600,000 contingent on passage of a budget override by a majority vote at the Annual Town Election as follows:

155 Management Information systems	$7,000
159 Other operation support	$4,000
192 Public Buildings and Property Maintenance	$50,000
210 Police Department	$41,000
220 Fire Department	$41,000
420, 430,490 DPW (Highway, Cemetary and Tree)	$41,000
610 Library	$10,000
Southborough Schools	$380,000
910 Employee Benefits-School	$26,000

MOTION PASSED UNANIMOUSLY at Adjourned Annual Town Meeting April 10, 2007.

Budget override DEFEATED at Annual Town Election May 14, 2007	**-600,000**
BALANCE to be raised and appropriated:	**$37,905,750**

MOTION MADE: to advance Articles 12, 14, 19 and 24 before Article 7.
MOTION PASSED UNANIMOUSLY.

ARTICLE 12: To see if the Town will vote to raise and appropriate or borrow and appropriate, or transfer from available funds and appropriate $96,000 to be used for Phase one schematic design for improvements to the Police Station on Main Street, or do or act anything in relation thereto.
Proposed by: BOARD OF SELECTMEN AND MUNICIPAL FACILITIES COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 5 Support
Capital Budget Planning Committee Recommendation: Support
Summary: This article provides funds to move forward to schematic design for identified improvements needed at the Police Station, including many shared public safety facilities, and will include an analysis of both new construction and renovation options. This project follows a feasibility study funded at the 2006 Annual Town Meeting.

MOTION MADE: that the Town raise and appropriate $96,000 for Phase one schematic design for improvements to the Police Station on Main Street contingent on a capital exclusion.

MOTION PASSED BY MAJORITY VOTE.
Debt Exclusion of $96,000 DEFEATED at Annual Town Election May 14, 2007

ARTICLE 14: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds $450,000 for electrical and mechanical upgrades at the Neary School Phase III, or do or act anything in relation thereto.
Proposed by: FACILITIES MANAGER AND SOUTHBOROUGH SCHOOL COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 5 Support
Capital Budget Committee Recommendation: Support
Summary: This is the third of three phases for the electrical and mechanical upgrades at Neary School.

MOTION MADE: that the Town borrow $450,000, contingent upon passage of a debt exclusion by a majority vote at the Annual Town Election, for Phase III of electrical and mechanical upgrades at the Neary School.
REQUIRES 2/3 VOTE.

MOTION PASSED UNANIMOUSLY.
Debt Exclusion of $450,000 DEFEATED at Annual Town Election May 14, 2007

ARTICLE 19: To see if the Town will vote to raise and appropriate or transfer from available funds and appropriate, or borrow a sum of money for the purpose of repairing the drainage issues at an entrance to Woodward School, or do or act anything in relation thereto.
Proposed by: SOUTHBOROUGH SCHOOL COMMITTEE
Board of Selectmen Recommendation: At Town Meeting
Advisory Committee Recommendation: At Town Meeting
Capital Budget Planning Committee Recommendation: Not Support
Summary: *To repair the drainage issues at one of the entrances to Woodward School.*

MOTION MADE: TO POSTPONE INDEFINITELY.

MOTION TO POSTPONE INDEFINITELY PASSED UNANIMOUSLY.

ARTICLE 24: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds and appropriate the sum of $40,000 to be used to develop a comprehensive Public Health Needs Assessment and Long-Range Public Health Plan, or do or act anything in relation thereto.
Proposed by: BOARD OF HEALTH
Board of Selectmen Recommendation: Not Support
Advisory Committee Recommendation: 1 Support 5 Not Support
Summary: *To hire an expert to assist the Board in preparing a needs assessment of all the environmental and public health issues facing Southborough and evaluate a course of action.*

MOTION MADE: that the Town vote to raise and appropriate the sum of $40,000 to be used to develop a comprehensive Public Health Needs Assessment and Long-Range Public Health Plan.

MOTION DEFEATED BY MAJORITY VOTE.

ARTICLE 7: To see if the Town will vote to transfer to Surplus Revenue Account (Excess and Deficiency) the following sums of money:

Amount	Town Meeting Article	Purpose
$190.02	ATM 2001 Article 42	Maintenance of Town Buildings
$5,681.79	ATM 2002 Article 18	Implementation of GIS
$30.00	ATM 2004 Article 12	Municipal Facilities Plan
$4.79	ATM 2005 Article 29	Police Ventilation
$7.00	ATM 2006 Article 24	Police Cruisers
$5,913.60	**TOTAL**	

,or do or act anything in relation thereto.

Proposed by: FINANCE DIRECTOR AND THE BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: Support
Summary: This article closes out previous appropriations which have an unexpended balance and transfers these funds to free cash, making the balances available for other town meeting authorizations.

MOTION MADE: that the Town vote to transfer to Surplus Revenue Account (Excess and Deficiency) the following sums of money:

Amount	Town Meeting Article	Purpose
$190.02	ATM 2001 Article 42	Maintenance of Town Buildings
$5,681.79	ATM 2002 Article 18	Implementation of GIS
$30.00	ATM 2004 Article 12	Municipal Facilities Plan
$4.79	ATM 2005 Article 29	Police Ventilation
$7.00	ATM 2006 Article 24	Police Cruisers
$5,913.60	**TOTAL**	

MOTION PASSED UNANIMOUSLY.

ARTICLE 8: To see if the Town will vote to transfer from Free Cash the sum of $1,780,277 ("the Distribution") to be distributed to tax payers by means of either a) an offset to the levy for FY 2008 or b) a cash distribution to taxpayers of record as of June 30, 2007 promptly following that date, according to a formula such that each taxpayer shall receive that fraction of the distribution that is calculated by dividing their actual tax payments during fiscal 2006 by the total real estate tax levy for fiscal 2006, as Town Meeting shall decide, or do or act anything in relation thereto.
Proposed by: Advisory Committee
Board of Selectmen Recommendation: Not Support
Advisory Committee Recommendation: Support
Summary: The Town currently has $1,780,000 more in Free Cash than its normal Free Cash reserve amounts than it expected to have when it made its financial forecasts last Spring. Advisory believes that the disposition of this Free Cash including the possibility of returning it to current taxpayers, is best decided by the voters in Town Meeting. This warrant is designed to alert voters to the existence of this money, preserve their potential claim on it, and give voters a chance to decide what they want to do with it.

MOTION MADE: that the Town transfer from Free Cash the sum of $1,695,277 to be an offset to the levy for FY 2008 for the purpose of funding exempt debt.
AMENDMENT TO MOTION: to amend the main motion by striking the words $1,695,277 and by substituting the words $1,000,000.
AMENDMENT TO MOTION DEFEATED.

ORIGINAL MOTION PASSED UNANIMOUSLY.

MOTION MADE: to move Article 11 forward.

MOTION DEFEATED.

At 11:00pm MOTION was MADE to adjourn Annual Town Meeting to April 10, 2007 at 7:30pm

MOTION PASSED UNANIMOUSLY.

ADJOURNED ANNUAL TOWN MEETING
April 10, 2007

At the ADJOURNED SESSION of the Annual Town Meeting duly called and held in the P. Brent Trottier Middle School, Southborough, on Tuesday, April 10, 2007 the following ARTICLES were voted on in a legal manner. There was a quorum present (150 Voters = quorum); 216 voters were present.
The Town Moderator, John H. Wilson, called the meeting to order at 7:47pm.

Checkers:

Brenda Gaffney	**Lidia A. Kiley**
Janet M.E. Mattioli	**Linda C. Hubley**
Lois W. Denman	**Delia Mulvaney**

The following were appointed by Moderator John H. Wilson and sworn-in by Town Clerk, Paul J. Berry:

Tellers:

Paul J. Gaffney
Jack Kessler
William H. Webber
Thomas J. Conlin
Andrew S. Mills
David H. Shaffer
Paul M. Cimino

The boundaries of the Auditorium were outlined by the Moderator to include all of the floor area. The cafeteria was set up for the non-registered (non-voting) public to view Town Meeting from a television with live cable viewing of the Town Meeting.

Moderator Wilson made an announcement that Rosemary Joseph, Superintendent of Schools, passed away unexpectedly. A moment of silence was given in her memory.

Moderator Wilson had requests from the following non-voters to attend the Annual Town Meeting. There being no objections from the floor, it was voted to allow the above non-voters to remain:

Brian Ballantine, Finance Director
Basilio Diaz, Facilities Manager
Karen Galligan, Superintendent DPW
Vanessa D. Hale, Assistant Town Administrator
Kimberly Ivers, Library Director
Vera L. Kolias, Town Planner
John D. Mauro, Jr., Fire Chief
Dawn E. Michanowicz, Assistant Town Clerk
Paul C. Pisinski, Public Health Director
Charles Gobron, Director of Curriculum/Instruction Superintendent's office
Jamie Clark, Technical Support for Trottier School
Cheryl Levesque, Director of Business Superintendent's Office

ARTICLE 9: To see if the Town will vote to raise and appropriate, borrow pursuant to the authority of M.G.L. c. 44 and appropriate or transfer from available funds the sum of $300,000 for the maintenance of Town roads, or do or act anything in relation thereto.
Proposed by: DEPARTMENT OF PUBLIC WORKS
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 6 Support
Summary: Each year the DPW manages a contract to maintain roadways. Historically this article has been for $250,000 which in the last contract in FY04 was enough to purchase 7,000 tons of asphalt. Under the current FY07 contract, $250,000 will only purchase about 4,500 tons of asphalt.

MOTION MADE: that the Town raise and appropriate, $300,000 for the maintenance of Town roads.

MOTION PASSED UNANIMOUSLY.

ARTICLE 10: To see if the Town will vote to transfer from available funds and appropriate, the sum of $337,012 in anticipation of reimbursement from the Commonwealth of Massachusetts for Chapter 90 highway improvements, or do or act anything in relation thereto.
Proposed by: DEPARTMENT OF PUBLIC WORKS
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 7 Support
Summary: This money is appropriated in the amount of an existing contract with the Commonwealth of Massachusetts to perform roadway work within the Town of Southborough. Work performed by or for the Town using these funds must be approved by Mass Highway Department and is reimbursed per the contract by the State.

MOTION MADE: that the Town transfer from available funds and appropriate, the sum of $337,012 in anticipation of reimbursement from the Commonwealth of Massachusetts for Chapter 90 highway improvements.

MOTION PASSED UNANIMOUSLY.

ARTICLE 11: To see if the Town will vote to raise and appropriate, borrow pursuant to the authority of M.G. L. c. 44 and appropriate or transfer from available funds $2,500,000 for the purpose of erecting a water storage tank and appurtenances associated therewith on Town owned land in the Town of Southborough, or do or act anything in relation thereto.
Proposed by: DEPARTMENT OF PUBLIC WORKS
Board of Selectmen Recommendation: Not Support
Advisory Committee Recommendation: 5 Support 1 Abstain
Capital Budget Planning Committee Recommendation: Support
Summary: The Town's water system is in need of some system improvements, one of which is a water storage tank. This proposed water storage tank provides storage south of Route 9 where it is most needed. This article involves the construction of a 2 million gallon tank and appropriate water main construction on Town owned land. Other system upgrades are still needed, but are at a slightly lower priority.

MOTION MADE: that the Town transfer $500,000 from water surplus and borrow pursuant to the authority of M.G.L. ch. 44 and appropriate $2,000,000 for the purpose of piping improvements and engineering design and construction of a water storage tank and appurtenances associated therewith.
AMENDMENT TO MOTION MADE: to postpone indefinitely.

AMENDMENT TO MOTION TO POSTPONE INDEFINTELY PASSED BY MAJORITY VOTE.

ARTICLE 12: brought forward after Article 6.

ARTICLE 13: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds $114,458 for technology update for the Southborough Public School, or do or act anything in relation thereto.
Proposed by: SOUTHBOROUGH SCHOOL COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 5 Support
Summary: This is a yearly article to update the technology in the Southborough schools.

MOTION MADE: that the Town raise and appropriate, $114,458 for technology update for the Southborough Public School.

MOTION PASSED BY MAJORITY VOTE.

MOTION MADE: to reconsider Article 11.
REQUIRES 2/3 VOTE

MOTION DEFEATED NO: 128 YES: 60

ARTICLE 14: brought forward after Article 6.

ARTICLE 15: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds the sum of money for capital items for the following purposes:

ITEM#	ITEM	AMOUNT	RECOMMENDATION		
			Advisory	Selectmen	Capital Planning
1.	Library Fire Alarm	$40,000	6 Support	Support	Support
2.	Security Alarm	$33,000	6 Not Support	Not Support	Not Support
3.	Maintenance Dump Truck	$48,500	6 Not Support	Not Support	Not Support
4.	DPW Equipment	$180,000	6 Support	Support	Support
5.	Police Cruisers	$52,000	5 Support 1 Not Support	Support	Support
6.	Enhanced 911	$5,000	6 Support	Support	No position
7.	Fire Dept. F-350	$47,000	6 Not Support	Not Support	Not Support

,or do or act anything in relation thereto.

Proposed by: CAPITAL PLANNING BUDGET COMMITTEE
Summary:
1. The fire alarm system is not working properly and should be replaced;
2. To install a security entry and alarm system at the Town House, Library, DPW, Fire Headquarters, Art Center and Cemetery;
3. To provide a versatile vehicle to the facilities dept to carry out multiple tasks for groundskeeping and to transport equipment and supplies throughout town and school facilities.
4. To replace DPW equipment according to the DPW capital plan;
5. To replace two cruisers according to the Police capital plan;
6. To enhance the 911 system at the Police station to comply with state requirements;
7. To replace a 1999 Chevrolet Pick up truck which was purchased used, with a heavy duty truck.

MOTION MADE: that the Town raise and appropriate, the following amounts:

$40,000	to replace Library Fire Alarm system
$180,000	to replace DPW equipment according to their capital plan
$52,000	to replace two Police Cruisers
$5,000	to enhance the 911 system at the Police Station

Each item considered separate and distinct.

MOTION PASSED UNANIMOUSLY.

ARTICLE 16: To see if the Town will vote to raise and appropriate, borrow pursuant to the authority of M.G. L. c. 44 and appropriate or transfer from available funds, the sum of $145,775 to fund ongoing maintenance of Town Buildings, or do or act anything in relation thereto.
Proposed by: FACILITIES MANAGER
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 6 Support
Summary: These funds will be used for materials and maintenance repairs to the Library ($10,400), Fire Headquarters ($23,500), Police Station ($7,700), Senior Center ($19,175), Arts Center ($71,000), and the Town House ($14,000).

MOTION MADE: that the Town raise and appropriate, the sum of $145,775 to fund ongoing maintenance of Town Buildings.

MOTION PASSED BY MAJORITY VOTE.

ARTICLE 17: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds the sum of $217,500 to fund ongoing maintenance of School Buildings, or do or act anything in relation thereto.
Proposed by: SOUTHBOROUGH SCHOOL COMMITTEE
Board of Selectmen Recommendation: 2 Support 1 Not Support $203,500 [Neary ($83,000); Trottier ($30,500); and Finn ($90,000)]
Advisory Committee Recommendation: 5 Support
Summary: *These funds will be used for maintenance and repairs to Neary Elementary School ($83,000), Trottier Middle School ($44,500), and Finn Elementary School ($90,000).*

MOTION MADE: that the Town raise and appropriate, the sum of $203,500 to fund ongoing maintenance of School Buildings.

AMENDMENT TO MOTION: that the Town raise and appropriate the sum of $138,188 to fund maintenance projects at the following schools, Neary School Library: $17,688 to replace Library carpet;
Finn School: $90,000 to seal classroom and Library floors and repair the vestibule roof; and
Trottier School: $30,500 to insulate ceiling and repaint areas in the new wing.

AMENDMENT TO MOTION CARRIES: YES: 88 NO: 85

ARTICLE 18: To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds the sum of $8,000 for ADA plan implementation, or do or act anything in relation thereto.
Proposed by: FACILITIES MANAGER AND ADA COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 6 Support 1 Not Support
Summary: *These funds will be used to upgrade the bathroom at the Cemetery Dept. for ADA compliance.*

MOTION MADE: that the Town raise and appropriate the sum of $8,000 for ADA plan implementation.

MOTION PASSED BY MAJORITY VOTE.

ARTICLE 19: brought forward after Article 6.

ARTICLE 20: To see if the Town will vote to raise and appropriate, borrow pursuant to the authority of M.G.L. c.44 and appropriate or transfer from available funds and appropriate, the sum of $15,000 for the purpose of hiring consultants, engineers, water quality specialists, and/or environmental consultants by various Town departments, or do or act anything in relation thereto.
Proposed by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 5 Support
Summary: *This article will allow Town departments, with the approval of the Board of Selectmen, to hire outside expertise when the need arises.*

MOTION MADE: that the Town vote to raise and appropriate the sum of $15,000 for the purpose of hiring consultants, engineers, water quality specialists, and/or environmental consultants by various Town departments.

MOTION PASSED UNANIMOUSLY.

ARTICLE 21: To see if the Town will vote to raise and appropriate or borrow pursuant to the authority of M.G.L. c. 44 and appropriate or transfer from available funds and appropriate, $35,000 for the purpose of Town technology upgrades. The Board of Selectmen may form and appoint a Technology Committee which will make a recommendation to the Selectmen on the disposition of such funds for this purpose, or do or act anything in relation thereto.
Proposed by: ADVISORY COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 6 Support
Capital Budget Planning Committee Recommendation: Support
Summary: *This article will allow the Selectmen to explore options for increasing services available through the Town web site or other electronic means.*

MOTION MADE: that the Town vote to raise and appropriate $35,000 for the purpose of Town technology upgrades and the Board of Selectmen may form and appoint a Technology Committee to make a recommendation to the Selectmen on the disposition of such funds for this purpose.

MOTION PASSED BY MAJORITY VOTE.

ARTICLE 22: To see if the Town will vote to raise and appropriate or borrow and appropriate, or transfer from available funds and appropriate, the sum of $40,000 to be used to Phase I of a two-phase project to conduct a comprehensive Zoning Bylaw and Subdivision Rules and Regulations update and revision project, or do or act anything in relations thereto.
Proposed by: PLANNING BOARD
Board of Selectmen Recommendation: Not Support
Advisory Committee Recommendation: 3 Support 3 Not Support
Summary: *As a companion to the 2007 Town Plan, this project will fund a consultant team to work with the town to revise the town's Zoning Bylaw and Subdivision Rules and Regulations in order to ensure that the town's Bylaws support the goals and objectives of the Master Plan. The Town's subdivision rules and regulations have not been analyzed since 1987 and the Zoning Bylaw has undergone sever major changes without a comprehensive review to ensure internal consistency and compatibility with state laws.*

MOTION MADE: that the Town will vote to raise and appropriate, the sum of $40,000.00 to be used for Phase I of a two-phase project to conduct a comprehensive Zoning Bylaw and Subdivision Rules and Regulations update and revision project, or do or act anything in relation thereto.
AMENDMENT TO MOTION: to postpone indefinitely.

AMENDMENT TO MOTION PASSED BY MAJORITY VOTE TO POSTPONE INDEFINTELY.

ARTICLE 23: To see if the Town will vote to raise and appropriate, borrow and appropriate, or transfer from available funds $29,700 to be used as the Southborough share of the required local match for the final portion of Year 3 of the Local Connection demand-response transet service provided by the Worcester Transit Authority, or do or act anything in relation thereto.
Proposed by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 5 Support
Summary: *This funding amount reflects Southborough's local share of funding for the Local Connection transit service. It is funded through a combination of state, local and private monies. The 3 year grant that funds the service requires an increased share of funding from Southborough and Marlborough each year of the grant period.*

MOTION MADE: that the Town vote to raise and appropriate, $29,700 to be used as the Southborough share of the required local match for the final portion of Year 3 of the Local Connection demand-response transit service provided by the Worcester Transit Authority.

MOTION PASSED UNANIMOUSLY.

ARTICLE 24: brought forward after Article 6.

ARTICLE 25: To see if the Town will vote to accept the report of the Community Preservation Committee for the FY2008 Community Preservation Projected Receipts and act upon the recommendations of the Community Preservation Committee and to set aside to for later expenditure, certain sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, as follows:

Estimated Surcharge Receipts (based on Town Treasurer's projections):	$235,174.00
State Match (based on actual surcharge receipts)…………………………	$230,507.00
Total Revenue………………………………………………………………	**$465,681.00**

Set Aside –Open Space
$46,568.10 to be set aside, held in the Community Preservation Fund, and spent in FY2008 or later years for acquisition, creation or preservation of open space, and for the rehabilitation and/or restoration of open space acquired under the Community Preservation Act.

Set Aside – Historic Preservation
$46,568.10 to be set aside, held in the Community Preservation Fund, and spend in FY2008 or later years for the acquisition, preservation, rehabilitation and restoration of historic resources.

Set Aside – Community Housing
$46,568.10 to be set aside, held in the Community Preservation Fund, and spent in FY2008 or later years for the creation, preservation and support of community housing, and for the rehabilitation and/or restoration of community housing acquired under the Community Preservation Act.

Administrative Costs – Community Preservation Committee
$23,284.05 to defray the administrative and operation expenses of the Community Preservation Committee in FY2008.

Set Aside – Discretionary
Reserved For CPF (Discretionary) $302,692.65

FY2006 Interest Adjustments
To accept $24,102.52 of interest received in FY06 and to set aside 10% in each of the Historic, Open Space and Housing Reserve Accounts and 70% to the General Reserve Account.

$2,410.25 Set Aside – Open Space
$2,410.25 Set Aside – Community Housing
$2,410.25 Set Aside – Historic Preservation
$16,871.78 General Unreserved

,or do or act anything in relation thereto.
Proposed by: COMMUNITY PRESERVATION COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 5 Support
Summary: *These set asides are an annual requirement under the Community Preservation Act.*

MOTION MADE: that the Town will vote to accept the report of the Community Preservation Committee for the FY 2008 Community Preservation Projected Receipts and accept the recommendations of the Community Preservation Committee and to set aside for later expenditure, certain sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, as printed in the warrant.

MOTION PASSED UNANIMOUSLY.

ARTICLE 26: To see if the Town will vote to appropriate $155,000 comprised of $91,748.57 from the CPA Housing Reserve Fund and $63,251.43 from the Fiscal year 2007 Discretionary Fund, as requested by the Southborough Affordable Housing Trust. Moneys will be used for the purchase and or construction of new affordable housing in accordance with the Southborough Affordable Housing Trust general by laws and in compliance with the Community Preservation Act. Said funds to be expended under the direction o the Community Preservation Committee, or do or act anything in relation thereto.
Proposed by: COMMUNITY PRESERVATION COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 5 Support

Summary: *Funds from the CPA and from Southborough's inclusionary zoning bylaw used in the flexible structure of the Housing Trust Fund will allow the Town to act quickly and creatively in meeting the Town's affordable housing needs.*

MOTION MADE: that the Town vote to appropriate $155,000 comprised of $91,748.57 from the CPA Housing Reserve Fund and $63,251.43 from the fiscal year 2007 Discretionary Fund, as requested by the Southborough Affordable Housing Trust. Moneys will be used for the purchase and or construction of new affordable housing in accordance with the Southborough Affordable Housing Trust general by laws and in compliance with the Community Preservation Act. Said funds to be expended under the direction of the Community Preservation Committee.

MOTION PASSED UNANIMOUSLY.

ARTICLE 27: To see if the Town will vote to appropriate the amount of $61,447 from the CPA Historic Fund, as requested by the Southborough Historical Society for Restoration of the Flagg School/Historical Society Museum. Said funds to be expended under the direction of the Community Preservation Committee, or do or act anything in relation thereto.

Proposed by: COMMUNITY PRESERVATION COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 5 Support
Summary: *The Flagg School is a Town owned historical property used for archival storage, processing, and public viewing of historically significant manuscripts, records and objects in the collection of the Historical Society. Users will benefit by having safe access to an attractive historic building upgraded to modern standards of climate control and energy saving practices*

MOTION MADE: that the Town vote to appropriate the amount of $61,447 from the CPA Historic Fund, as requested by the Southborough Historical Society for Restoration of the Flagg School/ Historical Society Museum. Said funds to be expended under the direction of the Community Preservation Committee.

MOTION PASSED UNANIMOUSLY.

ARTICLE 28: To see if the Town will vote to appropriate $21,600 from the CPA Historic Reserve Funds, as requested by the Southborough Historical Society for a Southborough Community Oral History Project. Said funds to be expended under the direction of the Community Preservation Committee, or do or act anything in relation thereto.

Proposed by: COMMUNITY PRESERVATION COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 6 Support
Summary: *This project will preserve an important, but often overlooked, part of Southborough's past in interviewing older residents who knew the life of Southborough as a collection of smaller villages, who lived through the pivotal events of the twentieth century, and went about their daily lives as the Town changed around them. The interviews will be shared in talks, exhibits and a publication.*

MOTION MADE: that the Town vote to appropriate $21,600 from the CPA Historic Reserve Funds, as requested by the Southborough Historical Society for a Southborough Community Oral History Project. Said funds to be expended under the direction of the Community Preservation Committee.

MOTION PASSED UNANIMOUSLY.

ARTICLE 29: To see if the Town will vote to appropriate $22,312 from the CPA Historic Reserve Fund to fund Phase I of the Southborough Town Clerk's project for preservation and microfilming of historic town records; said funds to be expended under the direction of the Community Preservation Committee, or do or act anything in relation thereto.

Proposed by: COMMUNITY PRESERVATION COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: Support
Summary: *Paul J. Berry, Town Clerk, who has presided over the Town's records for many years, will be responsible for this project in which public records will be preserved. Unless this is done, important records will continue to deteriorate under damp storage conditions and will eventually become illegible.*

MOTION MADE: that the Town vote to appropriate $22,312 from the CPA Historic Reserve Fund to fund Phase I of the Southborough Town Clerk's project for preservation and microfilming of historic town records; said funds to be expended under the direction of the Community Preservation Committee.

MOTION PASSED UNANIMOUSLY.

ARTICLE 30: To see if the Town will vote to appropriate $25,000 from the CPA Historic Reserve Fund for Renovation of the All Wars Monument. Said funds to expended under the direction of the Community Preservation committee, or do or act anything in relation thereto.
Proposed by: COMMUNITY PRESERVATION COMMITTEE
Board of Selectmen Recommendation: 2 Support 1 Abstention
Advisory Committee Recommendation: 6 Support
Summary: *This project of the VFW and American Legion Posts of Southborough will up-grade and made more accessible the All-Wars monument built in 1971 at the eastern end of the Town Common. This monument is a reminder to the community of our veterans who made the supreme sacrifice while serving the armed forces, and of all our veterans who have helped to maintain our freedom.*

MOTION MADE: that the Town vote to appropriate $25,000 from the CPA Historic Reserve Fund for Renovation of the All Wars Monument; said funds to be expended under the direction of the Community Preservation Committee.

MOTION PASSED UNANIMOUSLY.

ARTICLE 31: To see if the Town will vote to appropriate $176,380.67 comprised of $91,748.52 from the Open Space Reserve Fund, and $84,632.15 from the fiscal year 2007 Discretionary Fund to be applied to the Chestnut Hill Bond. Said funds to be expended under the direction of the Community Preservation Committee, or do or act anything in relation thereto.
Proposed by: COMMUNITY PRESERVATION COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 3 Support 3 Not Support
Summary: *This article is the Community Preservation Fund's portion of the annual payment of the bond funding for the preservation of Chestnut Hill Farm.*

MOTION MADE: that the Town vote to appropriate $176,380.67 comprised of $91,748.52 from the Open Space Reserve Fund, and $84,632.15 from the fiscal year 2007 Discretionary Fund to be applied to the Chestnut Hill Bond; said funds to be expended under the direction of the Community Preservation Committee.

MOTION PASSED BY MAJORITY VOTE.

MOTION MADE: to reconsider Article 6.
REQUIRES 2/3 VOTE
MOTION PASSED UNANIMOUSLY.
(see new motion under Article 6)

ARTICLE 32: To see if the Town will vote to amend the Code of the Town of Southborough, Chapter 9 Committee, Article 11 entitled Capital Budget Planning Committee, by striking sections 9.2 through 9.8 in the entirety and inserting in place thereof the following:

9-2 Establishment/membership. There shall be a Capital Budget Planning Committee, which shall perform the duties set forth below. The Committee shall consist of five citizens of the Town Appointed as provided below. No member shall serve on another committee to protect impartiality.

9-3 Appointment by the Moderator; terms. The Moderator shall appoint 4 of the members of this Committee, who shall serve three-year overlapping terms.

9-4 Service on multiple committee prohibited. No appointment to the Committee by the Moderator shall be made of a member of any other Town committee, elected or appointed, and if any such member of the committee shall be elected or appointed to another committee, said member shall cease to be a member of this Committee.

9-5 Appointment by the Advisory Committee. The Advisory Committee shall appoint one member of this Committee to serve at the pleasure of the appointing authority.

9-6 Duties. It shall be the duty of the Capital Budget Planning Committee to make recommendations to the Selectmen, Advisory Committee, and Town Meeting, on the individual capital expenditures and to establish and publish a comprehensive capital budget plan covering a minimum of five years.

9-7 Capital Budget Plan Warrant Article. A Capital Budget Plan Warrant Article shall be presented for vote to the Annual Town Meeting. This Article shall list the Articles requiring capital expenditures in the warrant being considered and the capital budget plan for five fiscal years beyond the current year being considered. This Article shall be considered by the Town Meeting before any Article requiring capital expenditures is considered. Conversely, any Article(s) requiring capital expenditures shall be considered by the Town Meeting in immediate succession following the Capital Budget Plan Article.

9-7A Capital item definition. Capital items are defined as involving the improvement or betterment of the physical plant of the Town of a non-recurring nature as differentiated from ordinary repairs or maintenance of a recurring nature. Projects include acquisition of land, improvement of facilities and the replacement/purchase of equipment with a useful life of at least three years and a cost of $15,000 or more.

,or do or act anything in relation thereto.

Proposed by: CAPITAL BUDGET PLANNING COMMITTEE
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: Qualified Support
Capital Budget Planning Committee Recommendation: Support
Summary: *Approval of this article will reduce the number of members of the Capital Budget Planning Committee from 7 to 5, 4 of which will be appointed by the Moderator and one by the Advisory Committee and define a Capital item.*

MOTION MADE: that the Town vote to amend the Code of the Town of Southborough, Chapter 9 Committee, Article 11 entitled Capital Budget Planning Committee, by striking sections 9-2 through 9-7 and inserting in place new sections 9-2 through 9-7.1 as printed in the warrant.

MOTION VOTED UNANIMOUSLY.

Approved by the Attorney General on may 14, 2007.

ARTICLE 33: To see if the Town will vote to appropriate the sum of $500,000 for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with Board of Health and residential property owners, including without limitations all costs thereof as defined in Section 1 of Chapter 29C of the General Laws or any other enabling authority; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust of otherwise, or do or act anything in relation thereto.

Proposed by: BOARD OF HEALTH
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 7 Support
Summary: This article will allow the Board to continue providing low interest Betterment Loans to individuals with failed residential septic systems.

MOTION MADE: that the Town vote to appropriate the sum of $500,000 for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgradeof septic systems, pursuant to agreements with Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow the sum of $500,000 and issue bonds or notes therefore under MGL Ch.111 Section 127B ½ and/or Chapter 29C of the General Laws; that project and financing costs shall be repaid by the property owners, in accordance with those agreements, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or for the financing thereof; and that the Board of Selectmen, Department of Public Works, Board of Health or other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects and to take any other action necessary to carry out the projects.

MOTION PASSED UNANIMOUSLY.

ARTICLE 34: To see if the Town will vote to amend Chapter 41 of the Southborough Code, Town Meetings, Article 1 Section 20, entitled Quorum Requirement, by striking the words "150 voters at a Town Meeting" and inserting in its place the words "100 voters at an Annual Town Meeting and 100 voters at a Special Town Meeting", or do or act anything in relation thereto.

Proposed by: MODERATOR AND TOWN GOVERNANCE STUDY COMMITTEE
Board of Selectmen Recommendation: Support 100 for all Town Meetings
Advisory Committee Recommendation: 5 Support and 1 Not Support
Summary: This article would change the quorum for any town meeting from 150 voters to 100 voters for an Annual Town Meeting and 100 for a Special Town Meeting.

MOTION MADE: that the Town vote to amend Chapter 41 of the Southborough Code, Town Meetings, Article 1 Section 20, entitled Quorum Requirement, by striking the words "150 voters at a Town Meeting" and inserting in its place the words "100 voters at an Annual Town Meeting and 100 voters at a Special Town Meeting.
REQUIRES 2/3 VOTE

MOTION PASSED: YES: 83 NO: 67

Approved by the Attorney General on May 14, 2007.

ARTICLE 35: To see if the Town will vote to amend the Code of the Town of Southborough, Chapter 9, Committees, by amending "Article IV Commissioners of Trust Funds" as voted at the April 10, 2006 Annual Town Meeting, Article 53, and renumbering the Article within Chapter 9 as "Article V Commissioners of Trust Funds", or do or act anything in relation thereto.

Proposed by: TOWN CLERK
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 7 Support
Summary: A the last annual Town Meeting the Commissioners of Trust Funds was created under Chapter 9 of the Town code as Article IV. Article IV is actually the Community Preservation Committee. This article will give the correct citation number for the Commissioners of Trust Funds.

MOTION MADE: that the Town vote to amend the Code of the Town of Southborough, Chapter 9, Committees, by amending "Article IV Commissioners of Trust Funds" as voted at the April 10, 2006 Annual Town Meeting Article 53, and renumbering the Article within Chapter 9 as "Article V Commissioners of Trust Funds".

MOTION PASSED UNANIMOUSLY.

Approved by the Attorney General on May 14, 2007.

ARTICLE 36: To see if the Town will vote to amend the Code of the Town of Southborough Chapter 234 thereof by adding the following new Section, pursuant to the statutory authority contained in M.G.L. Ch. 40 §21E:

Police Detail User Fees, due dates and interest

234-1 Bills for Police Detail User Fees, as determined by the Police Chief or the Chief's duly authorized designee shall be issued immediately after the detail service is rendered. The due date for payment of any such fee shall be the date of such bill. If the bill, or any portion thereof, remains unpaid after thirty days interest, from the due date, at the rate of 14% percent per annum, computed from the first day after the thirty day billing period, shall be paid on so much of the balance of such fee that remains unpaid.

234-2 A copy of this Bylaw provision will be given to each individual or entity to whom the Police detail service is furnished.

234-3 This provision is enacted pursuant to the authority contained in Massachusetts General Laws C.40 §21E:

, or do or act anything in relation thereto.
Proposed by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: 2 Support 1 Not Support
Advisory Committee Recommendation: 5 Not Support 2 Support
Summary: This article will allow the town to charge interest for those vendors who fail to pay their Police Detail bill in a timely manner.

MOTION MADE: that the Town vote to amend the Code of the Town of Southborough, Chapter 234, thereof by adding the following new Section entitled Police Detail User Fees, , pursuant to the statutory authority contained in M.G.L. Ch. 40, §21E as printed in the warrant.

MOTION PASSED UNANIMOUSLY.

Approved by the Attorney General on May 14, 2007.

ARTICLE 37: To see if the Town will vote in accordance with M.G.L. c. 40, section 4A, authorize the Southborough Board of Health to enter into an inter-municipal agreement with one of more or other governmental units to provide public health services which the Board of Health is authorized to perform, in accordance with an Inter-Municipal Mutual Aid Agreement to be entered into between the town and various governmental units, or do or act anything in relation thereto.

Proposed by: BOARD OF HEALTH
Board of Selectmen Recommendation: Only support to negotiate not to enter into a mutual aid agreement
Advisory Committee Recommendation: 4 Support with amendment 1 Not Support amendment
Summary: This article would allow the Board of Health to enter into mutual aid agreements with other communities to provide public health services should the need arise.

MOTION MADE: that the Town vote in accordance with M.G.L. c. 40, section 4A, authorize the Southborough Board of Health to enter into an inter-municipal agreement with one or more other governmental units to provide public health services whichthe Board of Health is authorized to perform, in accordance with an Inter-Municipal Mutual Aid Agreement to be entered into between the town and various governmental units.

MOTION PASSED BY MAJORITY VOTE.

ARTICLE 38: To see if the Town will vote pursuant to M.G.L., Chapter 44 §53E ½ as amended, to authorize the use of a revolving fund for the following purposes:

- Immunization/emergency dispensing clinic for the Board of Health
- Inspection services for the Sealer of Weights and Measures, plumbing and wiring for receipts up to $60,000

- Recreation Department

,or do or act anything in relation thereto.

Proposed by: BOARD OF HEALTH, BOARD OF SELECTMEN and RECREATION DEPARTMENT
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 7 Support
Summary: Revolving funds must be approved annually.

MOTION MADE:. that the Town vote pursuant to M.G. L, Chapter 44 § 53E ½ as amended, to authorize the use of a revolving fund for the following purposes:

- immunization/emergency dispensing clinic for the Board of Healthfor receipts up to $6,500.
- inspection services for the Sealer of Weights and Measures, plumbing and wiring for receipts up to $60,000
- Recreation Department

MOTION PASSED UNANIMOUSLY.

ARTICLE 39: To see if the Town will vote to amend Chapter 36, Selectmen, Article III of the Code of the Town of Southborough entitled Transfer Station Violations and Fines, by striking sections36.8 and 36.9 and inserting in its place the following:

> **36.8 Subsequent violations** of the Rules and Regulations at the Transfer Station, after the first warning letter has been issued, will result in a $100 fine for each subsequent violation. Anyone who enters the Transfer Station without a valid transfer station sticker shall be subject to a $250 fine for each offense. Fines shall be paid within thirty (30) days on notification from the Board of Selectmen or their designee.
>
> **36.9 The Board of Selectmen will govern** the process for administrating the imposition of fines, which may be appealed to the Board of Selectmen or their designee within thirty (30) days of the dates of notification, by the Town. After due notice and hearing, the Selectmen or their designee shall have the authority to uphold, modify or repeal any such find imposed. No fine will be delinquent while an appeal is pending before the Board or their designee. Violators shall have ten (10) days to pay said fines if notified by the Selectmen or their designee that the appeal has been denied. No transfer station sticker will be issued to residents with delinquent fines.

,or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN
Board of Selectmen Recommendation: Support
Advisory Committee Recommendation: 7 Support
Summary: If this amendment is approve, the appeal and adjudication of transfer station sticker violations may now be heard by the Board of Selectmen designee rather than just the Board of Selectmen. This article also clarifies that if anyone enters (changes the word "utilizes" to "enter") the transfer station without a valid transfer station they will be issued a $250 fine.

MOTION MADE: that the Town vote to amend Chapter 36, Selectmen, Article III of the Code ofthe Town of Southborough entitled Transfer Station Violations and Fines as printed in the warrant.

MOTION PASSED UNANIMOUSLY.

Approved by the Attorney General on May 14, 2007.

ARTICLE 40: To see if the Town will vote to authorize the Chief of Police to require all hotel, motel, inns, and any other transient lodging establishment located in Southborough to submit to the Chief of Police the names and legal identification of any guest staying over 31 days. The purpose of the check is to find out if any level 2 or 3 sex offenders have take up residence or secondary residence without notifying the police as is required by Mass. State law, or do or act anything in relation thereto.
Proposed by: JACK BARRON AND OTHERS
Board of Selectmen Recommendation: At Town Meeting
Advisory Committee Recommendation: 7 Not Support

MOTION MADE: that the Town vote to authorize the Chief of Police to require all hotel, motel, inns, and any other transient lodging establishment located in Southborough to submit to the Chiefof Police the names and legal identification of any guest staying over 31 days. The purpose of the check is to find out if any level 2 or 3 sex offenders have taken up residence or secondary residence without notifying the police as is required by Mass. state law.

MOTION DEFEATED: NO: 64 YES: 52

Adjourned ANNUAL TOWN MEETING
April 10, 2007

At 11:00pm MOTION MADE TO DISSOLVE ANNUAL TOWN MEETING PASSED UNANIMOUSLY.

True Copy
Attest:

Paul J. Berry, Town Clerk

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